

# DRUG POLICY IN GEORGIA

Trends in 2021





# **Drug Policy in Georgia**

## **Trends in 2021**

Social Justice Center

2022



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## Introduction

The purpose of this report is to review the changes to the drug policy carried out in Georgia in 2021, identify existing challenges and assess the legal status of persons accused and convicted of drug-related crimes.

During 2021, like in previous year, there were no major changes to the legislation on drug-related offenses, or there were no fundamentally different approaches introduced. The topic, in a broad political context, has lost its relevance and is not a priority topic for either the executive or the legislative bodies. Several fragmentary legislative changes were made in the reporting year that have not substantially changed the state's pattern of behavior towards drug-related crime and drug policy issues. The state still does not show readiness for a fundamental transformation of drug policy, which is indicated by inconsistent changes in the legislation, which, on the one hand, slightly improves the state's approach to drug users<sup>1</sup>, and on the other hand, substantially aggravates the already severe penalties for specific drug-related crimes<sup>2</sup>.

In the reporting year, the efforts of the state to make the drug policy more humane has not succeeded, however, this issue has become the focus of public discussion several times, in 2021. The period of the 2021 local self-government elections was problematic, when during the campaign period, the ruling party raised the issue of possible drug use by a rival politician and demanded for him to publish the results of his drug testing results. This is not an isolated case. The stigma of possible use of drugs has repeatedly become a tool of political struggle in the past; however, bringing this issue to the forefront in the pre-election context and thus campaigning against opponents further increases stigma towards drug users and leads to public exclusion of drug users.

The report summarizes 2021 drug policy trends, analyzes challenges based on legislation and relevant academic sources, and presents the recommendations of the Social Justice Center to state agencies.

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1 For example, the legislative changes of March 5, 2021, which introduced the re-regulation of small, large and especially large quantities of 8 types of drugs.

2 For example, the legislative changes of December 1, 2021, tightened the liability for certain offenses under Articles 260 and 261 of the Criminal Code.

## Methodology

The report was prepared based on the information requested from public institutions. Specifically, in order to study the drug situation in the country, statistics were requested on the ongoing criminal prosecutions, convictions, drug testings, administrative proceedings related to drugs and other relevant issues. Also, for the report relevant legislation, research, reports and media sources were studied and analyzed.

## Main Findings

The report outlines the main features of the country's drug policy as of 2021:

- The state's approach to drug-related crimes has not changed. Strict drug policies are still part of the country's criminal policy, so the fight against drug-related crimes is still carried out with repressive, rather than care-oriented methods.
- Further aggravation of high sentences for specific drug offenses, despite its counter-productivity, remains one of the main approaches of the state.
- Public institutions, including the Ministry of Internal Affairs, the Prosecutor's Office, and the Common Courts, still inadequately conduct statistics regarding drug-related crimes.
- Compared to the previous year, the number of registered drug-related crimes has increased by 12%. Criminal prosecution has started on 3,319 drug-related crimes, which is a 10% increase compared to 2020, although significantly less than in 2019 (6,415 registered crimes).
- In the first instance court, in 2021, imprisonment as a punishment for drug-related crimes was the most rarely used sentence and was imposed on 13% of the total accused. This figure was 20% in 2020.
- There is a positive dynamic in the statistics of persons transferred for drug testing. The number of people transferred for drug testing is declining every year, and in 2021 only 4,225 individuals were taken for testing, more than 60% of whom were confirmed to have used a drug.

- The number of persons held administratively liable under both Articles 45 and 45<sup>1</sup> of the Administrative Offenses Code has reduced. Compared to 2020 (1,093 persons), under Article 45, 719 persons were fined, which represents a decrease in 34%, while on the basis of Article 45<sup>1</sup>, 1,313 persons were declared as offenders, respectively, which is a decrease of 36% – compared to the previous year (2,075 persons).
- The state partially took into account the call of the community organizations working on the issue of drug policy and introduced the drug “Naloxone”, which is the first aid in case of opioid overdose, in the list of “emergency bag” drugs, which increased the availability of this drug.



## 1. Legislative changes in 2021

In 2021, the Parliament of Georgia did not actively work to implement fundamental changes in the national drug-related legislation. In the reporting year, Parliament debated two bills related to drug-related crimes. On March 5, 2021, amendments were made to the Law of Georgia on Narcotic Drugs, Psychotropic Substances, Precursors and Narcological Assistance, and on December 1, 2021, the draft law developed by the Ministry of Internal Affairs entered into force. This chapter below is dedicated to the analysis of these legislative changes.

### 1.1. Defining the amounts of drugs

The report of the Social Justice Center, which summarizes the tendencies of drug policy in Georgia in 2020, has already focused on the legislative changes made in early 2021. In particular, the law adopted on March 5, 2021, which amended the Law of Georgia on Narcotic Drugs, Psychotropic Substances, Precursors and Narcological Assistance<sup>3</sup>, and established small, minimum threshold amount for criminal liability, large and particularly large amount for 8 types of drugs. As soon as the law was adopted, the Center criticized the fact that these changes were superficial and did not change the established strict practices.<sup>4</sup> In particular, the changes addressed the legal status of episodic drug users and did not tackle the challenges faced by regular drug users.

The real effect of the amounts determined by the adopted legislative changes on the part of individual criminal liability is quite limited. For example, the main achievement of the new regulation is that in case of possession of the indicated substances<sup>5</sup> in an amounts too small to cause any intoxication, the person will not be subject to criminal liability. Even before the amendments were made, possession of any of these substances, even if they were invisible to the naked eye, would not only have resulted in criminal liability,<sup>6</sup> but would, in many cases, have resulted in a person being sentenced for a long-term in

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3 March 5, 2021, On Amendments to the Law of Georgia on Narcological Drugs, Psychotropic Substances, Precursors and Narcotic Assistance, Doc. No. : 324-IV MS-XMP, Available: <https://bit.ly/3J8T39o>, Accessed: 01.04.2022.

4 Social Justice Center, 2021, "Drug Policy in Georgia – Tendencies of 2020". Available: <https://bit.ly/3LqNK6R>.

5 Amphetamine, desomorphine, lysergic acid, MDMA, methadone, methaninone, methamphetamine, heroin.

6 However, the settlement of this issue was slightly changed by the ruling of the First Panel of the Constitutional Court of Georgia, №1 / 19 / 1265,1318 in the case "Noe Korsava and Giorgi Gamgebeli v. Parliament of Georgia" in 2020, when it was considered unconstitutional to use imprisonment as a punishment for possession of an unsuitable amount of a narcotic substance. Available: <https://bit.ly/3DjfA1X> , accessed: 01.04.2022.

prison. However, current legislation still provides for long-term sentence for a stable drug user, if a sufficient amount for a single usage is found. Respectively, the implemented changes do not address the very category of drug users whose legal status needs to be improved the most.

Following the mentioned changes, the Social Justice Center sought to obtain statistical information from the Court of Appeals in Tbilisi and in Kutaisi on the admissibility and adjudication of motions for review of judgments based on newly revealed circumstances. The Tbilisi Court of Appeals did not provide the Center with information on the number of motions filed with the court on the above mentioned grounds and the respective decisions made by the court.<sup>7</sup> According to the information provided by the Tbilisi Court of Appeals, it is also unknown how many convicts applied to the court to review the verdict based on the newly revealed circumstances that have appeared from the above-mentioned changes. As for the Kutaisi Court of Appeals, the latter left the request of the Social Justice Center for public information without any response. The Social Justice Center believes that the lack of such statistical data, which is the only way to assess the real impact of a particular legislative change, hinders the implementation of both correct and strategic legislative activities, as well as research of criminal policy and evidence-based policy development in general.

## 1.2. Amendments to the Criminal Code

The Prime Minister of Georgia, Irakli Gharibashvili commented on the drug situation in one of the TV programs in November 2021, saying that “the current liberal drug policy is absolutely harmful.”<sup>8</sup> The Prime Minister also said that he considers employment and sports being the best means for avoiding drug usage and prevention, and that he is actively working to tighten state control. The Prime Minister’s statement is not based on real evidence, the recommendations made by local and international organizations on human rights-oriented drug policies, and is political populism.<sup>9</sup> In reality, according to the state statistics, there is a steadily decline in drug statistics. According to the Social Justice Center, the Prime Minister’s statement aimed to manipulate with a sensitive topic and did not serve to fundamentally understand the challenges related to drug policy.

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7 With the Tbilisi Court of Appeals letter dated 25.02.2022, N:1/1174 we were informed that the Court of Appeals does not register the motions and judgments rendered on the newly identified circumstances, on the merits.

8 Statement by the Prime Minister, available at: <https://bit.ly/37dzDD0>, accessed: 01.04.2022.

9 See. the response of the Social Justice Center to the statement of the Prime Minister is available at: <https://bit.ly/3JRLAwD>.

Shortly after the Prime Minister's statement, at the end of 2021, amendments to the Criminal Code came into force, which substantially aggravated the punishment for illegal sale of drugs.<sup>10</sup> These changes unequivocally tighten the sanction for the sale of narcotics (Article 260, Parts 4 and 5 of the Criminal Code); also, the legislature is introducing Section 7, which serves to impose an even stricter sanction on the sale of drugs "in large quantities" and by an "organized group". As for the amendments to Article 261 of the Criminal Code, these amendments, on the one hand, make the sale of a psychotropic substance, its analogue or a potent substance a separate crime. It was separated from the illicit manufacture, production, purchase, storage, transfer and shipment of such a substance. On the one hand, this change is a positive development, as the separation of storage and sell was established in a broad sense, however, the original sentences for these crimes have doubled, making the current drug policy even more repressive.

It should be noted that the sale of drugs, due to the high risks to the public well-being, is often justly subject of high sanctions. To this end, the 1961 United Nations Convention on Narcotic Drugs<sup>11</sup> considers possession of a drug that is meant for selling as a mandatory punitive action. However, Georgian law already had exceptional high sanctions, and changes to chapter on drug offenses and tougher penalties were not due to any obligation under an international convention. On the contrary, the changes provide for even more repressive regulation, which may significantly worsen the legal status of drug users, complicate or make it impossible to re-socialize drug users and drug dealers, and at the same time, not even at a slightest change the number of drug addicts.

### 1.2.1. The problem with an unsubstantiated explanatory note of the draft law

It is also problematic that the explanatory note to the draft law is too superficial and general. We read in the document that Georgia, due to its geographical location, "is often a transit corridor for [drugs]," and that the Ministry of Internal Affairs sees an increase in penalties for drug marketing as an essential means to combat it.<sup>12</sup> If the Ministry of Internal Affairs considers that the import of drugs into the country is a major challenge,<sup>13</sup>

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10 Law of Georgia N 1037 of December 1, 2021, on Amendments to the Criminal Code of Georgia is available: <https://bit.ly/3IZvpw5>.

11 Drug crimes. Gegelia et al., 2020. Also included. Comments on the 1961 United Nations Convention on Narcotic Drugs.

12 Explanatory note of the draft law, p. 1, item "a.a.," available: <https://bit.ly/37q7adw>, accessed 01.04.2022.

13 It is noteworthy that the statistics of illicit drug trafficking in the country, based on the statistics of the Ministry of Internal Affairs for the last 4 years, are declining every year, and, for example, if the number of crimes 2018 was 204, in 2021 this number was 54. However, this can be partly explained by the limitations caused by the pandemic condition.

the question arises as to why it has not made changes to Article 262 of the Criminal Code of Georgia, which deals with the import of drugs across the border and transit crimes. For this crime, the Code provides for imprisonment from 6 to 9 years, and if such an act was committed by “a group of persons with preliminary agreement” or involved in a “large quantities”<sup>14</sup> of drugs, the sentence is increased to 8-12 years.

With the introduced changes, the punishment for selling a drug was restricted and instead of 6-11 years of imprisonment, the punishment for this act increased to up to 10-15 years of imprisonment. And if the drug is sold in large quantities, or by a group of persons with preliminary agreement, imprisonment for 7-14 years – is increased to up to 12 to 17 years in prison.

The Social Justice Center does not consider it appropriate to increase the penalty imposed on the drug importers without the relevant scientific knowledge, engagement of the experts in the field, use of relevant statistics or professional literature. However, it is clear that the legislative changes are not based on any logical justification and are not a part of the well thought strategy to combat drug-related crimes. As a result, the amendments envisage a lower sanction for a crime that could potentially pose a greater threat to the state, than for an offense involving one of the most crucial parts of drug-sell-chains – purchase of a drug.

The explanatory note also reads that the pre-amended sentence failed to perform its restraining function and that the potential benefits obtained by the drug dealers outweighed the expected sentence.<sup>15</sup> At the same time, according to the arguments stated by the Ministry of Internal Affairs, with these changes, Georgia shares the European tradition in regards to combating drugs. These argumentations might have been worth of consideration if the Ministry of Interior had presented specific evidence and the results of the investigation, on the one hand, about the ineffectiveness of the current sanctions, and on the other hand, about the European experience that the Ministry is referring to. However, such facts are not included in the explanatory note developed by the Ministry. We read in the text of the explanatory note to the draft law that when preparing the document, the MIA did not hold consultations with state, non-governmental or international institutions / organizations, did not meet with experts, did not hold a working meeting. Moreover, the Ministry indicates that during the preparation of the submitted draft law, no review or comparative analysis was prepared regarding the existence of a similar law in other countries.<sup>16</sup> The latter once again indicates that the mentioned law was not drafted by considering the best European experience or scientific opinions.

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14 Criminal Code of Georgia, Article 262.

15 Explanatory card of the draft law, point “a”, available: <https://bit.ly/37q7adw>, access date: 01.04.2022.

16 Ibid., Point “D”.

It is also noteworthy that the adopted changes refer to the lowest limit of a sentence for the drug sell. On the one hand, it is understandable when the legislature gives the judge the opportunity to impose a high sentence on the accused, if necessary, because of the public danger posed by the crime committed. However, when the legislature tightens even the minimum sentence imposed for a criminal act, it limits the discretion of the judge to impose a sentence that s/he deems appropriate for the offense committed. The judge, at his/her discretion, has the opportunity to impose even a severe sentence based on an individual case, specific evidence, a portrait of the accused or the public threat posed by it, and, of course, the judge should be able to do so. However, the importance of a judge's discretion is weakened when a statutory sanction limits a judge to maneuver in his decision and is granted only a limited opportunity to decide on a sentence.

### 1.2.2. The dynamics of convictions for sale of drugs

To assess the challenges posed by drug trafficking in the country, the Social Justice Center requested statistical information from the Supreme Court of Georgia. According to the statistics provided by the Supreme Court of Georgia<sup>17</sup>, in the reporting year, a total of 69 persons were convicted of illegal sale of a drug, its analogue and precursor or a new psychoactive substance. Of these, 32 were sentenced for drug marketing and 37 convicts for drug marketing in aggravating circumstances<sup>18</sup>.

Part 4 of Article 260 of the Criminal Code (drug selling)	Article 260, Part 5 of the Criminal Code (sale of a narcotic substance under aggravating circumstances)
<ul style="list-style-type: none"> <li>• 31 Criminal Case</li> <li>• 32 convicts</li> </ul>	<ul style="list-style-type: none"> <li>• 28 Criminal Case</li> <li>• 37 convicts</li> </ul>

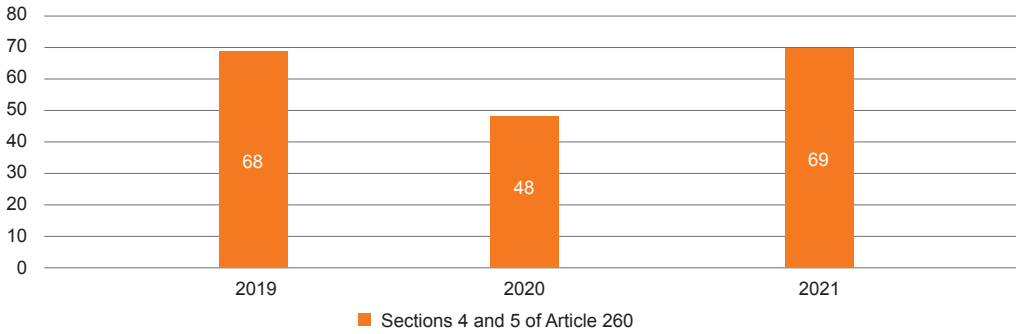
It is noteworthy that all the criminal cases pending on drug charges were found guilty. However, it is important to identify how problematic the issue of drug selling is in the country, what the dynamics of drug selling are, and how they relate to previous years. For this purpose, the statistics of 2019 and 2020 were additionally requested from the Supreme Court of Georgia, in order to assess the crime dynamics.

<sup>17</sup> Letter N P-129-22 of the Supreme Court of Georgia dated 25.02.2022..

<sup>18</sup> According to the Criminal Code of Georgia, aggravating circumstances are considered when the sale of a narcotic substance is committed: "in large quantities" in connection with a narcotic substance; "with a preliminary agreement by a group of persons;"; "By using official position", "repeatedly", "by someone who has previously committed any of the crimes listed under this chapter".

According to the information provided by the Supreme Court of Georgia, in 2019, 68 persons went to trial and were sentenced under Sections 4 and 5 of Article 260 of the Criminal Code, and in 2020 – 48 persons.

Statistics of convictions for drug selling 2019-2021



Although it is difficult to make an absolutely reliable conclusion on the basis of statistical information about the prevalence of the crime, the data provided at least confirm the fact that the crime of drug sale has not exceeded 100 cases in the past three years and there is no growing trend of drug sale in the country.

At the same time, the Ministry of Internal Affairs itself does not keep separate statistics on crimes registered on the fact of selling drugs. The sale of drugs, regardless of its specific nature, is not recorded separately by the Ministry of Internal Affairs, and this data is considered in conjunction with other crimes under Article 260, namely the purchase, storage, transportation and transfer of drugs. The Social Justice Center calls on the Ministry of Internal Affairs of Georgia to keep separate statistics on registered crimes related to sell of drugs. The existence of such statistics would also play an essential role in the adoption of a given legislative change and would facilitate the practice of evidence-based legislative changes.

In view of all mentioned above, the decision of the MIA of Georgia to toughen the sentence is clearly unjustified, as well as the decision of the Parliament to support this bill. When having already severe sentences and strict drug policy, aggravating the existing sentences should be based on extensive reasoning, in-depth field research, and the presented evidence. According to the law drafted by the Ministry of Internal Affairs, the reasoning in the note about the lightness of the sentence and the failure of the sanction to fulfill its preventive function is not confirmed by the facts presented by the Ministry of Internal Affairs and the statistics provided by the Supreme Court of Georgia.

### 1.2.3. The problem regarding differentiating between users and sellers

In addition to the above stated, the concept of the sell of drugs is still problematic. The Law of Georgia on Narcotic Drugs, Psychotropic Substances, Precursors and Narcotical Assistance<sup>19</sup> unequivocally states that the selling of a narcotic substance is “passing a substance under special control, in violation of the legislation of Georgia, in return for payment or for free, regardless of the purpose of passing”.<sup>20</sup> According to this definition, the selling of a drug is considered to be an act of transferring or gifting a drug from one user to another user for the purpose of consuming a drug. Relevant academic literature often points to the fact that among regular drug users, sharing drugs with each other or other similar activities is a frequent act, in fact a daily occurrence, which inevitably makes them “drug dealers” according to Georgian law. However, such reasoning is fundamentally problematic, since drug users and dealers are often one and the same, belonging to the same group of consumers.<sup>21</sup> There is a consensus in the field literature that a drug user who consumes drugs with high intensity often takes banned substances from other, or also often passes the drug or its precursor on to another user.<sup>22</sup> Such action should not automatically be defined as drug sale. Therefore, it would be better if the Georgian legislator took into account the scientific opinion and linked the sale of drugs to an action that is considered to be a systematic and continuous activity and is aimed at obtaining commercial benefits.

To sum up, it should be emphasized that state’s decision to introduce even tougher sanctions on already severe punishments as the most efficient mechanism for crime prevention, indicates that state refuses to pursue its social function and carry out care-based policies and chooses to use traditional, repressive methods to try to control or imitate the control of the drug situation and its related threats in the country. In view of all the above, the changes made need to be strongly criticized, as they represent a step backwards in the process of implementation of a humane and evidence-based drug policy.

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19 Paragraph “Z<sup>3</sup>” of Article 3 of the Law of Georgia on Narcotic Drugs, Psychotropic Substances, Precursors and Narcotic Assistance.

20 Article 3 of the Law of Georgia on Narcotic Drugs, Psychotropic Substances, Precursors and Narcotic Assistance.

21 Blaustein, Jarrett, Miki McLay, and Jude McCulloch. “Secondary harm mitigation: A more humanitarian framework for international drug law enforcement.” *International Journal of Drug Policy* 46 (2017): 66-73.

22 Coomber, Ross. “Pusher Myths.” *Re-Assessing the Drug Dealer* (2006); Also, Chatwin, Caroline, and Gary Potter. “Blurred boundaries: The artificial distinction between “use” and “supply” in the UK cannabis market.” *Contemporary Drug Problems* 41.4 (2014): 536-550.

## 2. Statistical data analysis of drug-related crimes

Statistical information is an important parameter both for drug policy-making and assessing the effectiveness of drug policies in the country. In 2021, to assess drug trends, information was requested from various public institutions. Based on the information received, a statistical evaluation of the registration of drug-related crimes, the initiation of criminal prosecution, and the sentence being handed down was carried out. The Social Justice Center also requested information on the amnesty of persons convicted of drug offenses. The issue of forced drug testing, which has been declining in recent years, is also part of the assessment. These statistics are presented and reviewed in the next section of the document.

However, it is still unknown what kind of impact the global pandemic caused by Covid-19 and the respective restrictions imposed on crime statistics, including drug offenses. In 2020-2021, the so-called curfew was in force in Georgia<sup>23</sup>; also, open and closed entertainment and gastronomic spaces were not functioning, or were limited, which may have affected the statistics of drug crimes, as well as the registration of crimes, prosecutions and convictions. In this regard, it is important that in the years following the onset of the acute phase of the pandemic, the impacts of the pandemic in the context of drug crime are assessed separately and the updated statistics are compared with the statistics developed under the high prevalence of Covid-19 infection.

### 2.1. Crime statistics registered by the Ministry of Internal Affairs

The Ministry of Internal Affairs of Georgia annually publishes crime statistics registered in the country, which was used as one of the main sources when working on the presented report. According to the statistics of the Ministry of Internal Affairs, in 2021<sup>24</sup>, a total of 3873 drug-related crimes were detected in the country. This number is 12% higher than in the previous year. It is noteworthy that in recent years, the highest rate of drug crimes was recorded in 2019, when a total of 6415 drug-related crimes were registered in the country. The statistics of drug-related crimes of the last 4 years are presented in the table below<sup>25</sup>:

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23 The curfew in Georgia netered into force in seven major cities since November 9, 2020, and throughout the country from November 26, 2020. The curfew lasted until June 30, 2021. See. Report of the Institute for Development of Freedom of Information (IDFI), “18 months of fighting the pandemic. Human Rights Monitoring ”, 2021. Available: <https://bit.ly/380lWYr>, Accessed: 01.04.2022.

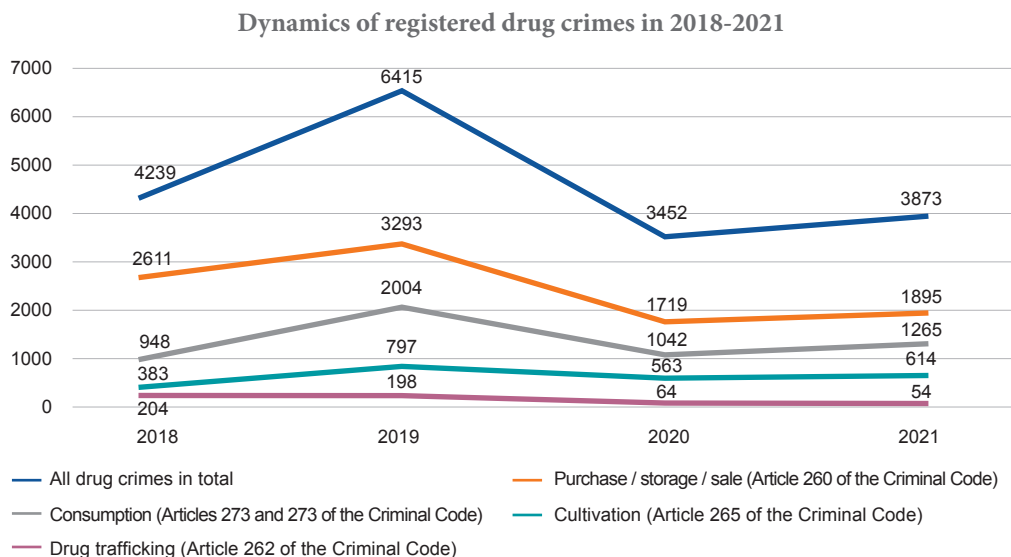
24 Registered Crime Statistics, 2021, available at: <https://bit.ly/3N3Wvon>, accessed 01.04.2022.

25 Registered crime statistics of the Ministry of Internal Affairs 2018-2021, available: <https://bit.ly/3LCX-VWk>, accessed: 01.04.2022



2018	2019	2020	2021
4239	6415	3452	3873

The following graph summarizes the registration rates of the four most common crimes in the same period.



The given chart<sup>26</sup> allows us to draw some important conclusions about the dynamics of drug crime. In particular, in 2019 the dynamics of the most common drug crimes was growing. Overall, in 2019, there was a 51% increase over the previous year. This reasoning also applies to individual crimes. It should be noted that in 2019, not only the crime statistics of illegal import of drugs into the country increased, but the crime of both drug use and cultivation of a plant containing drugs doubled. The rate of increase in crime under Article 260 of the Criminal Code, which includes the purchase, storage, transportation, transfer and sale of drugs, was 26% in the indicated year. The 2019 figure is particularly significant given that this was the year before the Covid-19 global pandemic, so the statistics for 2020 and 2021 may, for a number of reasons, not reflect the full picture regarding the drug situation and drug-related crime.

As mentioned, in 2020 and 2021 there were restrictions on movement and the so-called curfew, the implementation of which was controlled by police forces and respective mechanisms. This may have led to a use of police resources to control the situation caused by pan-

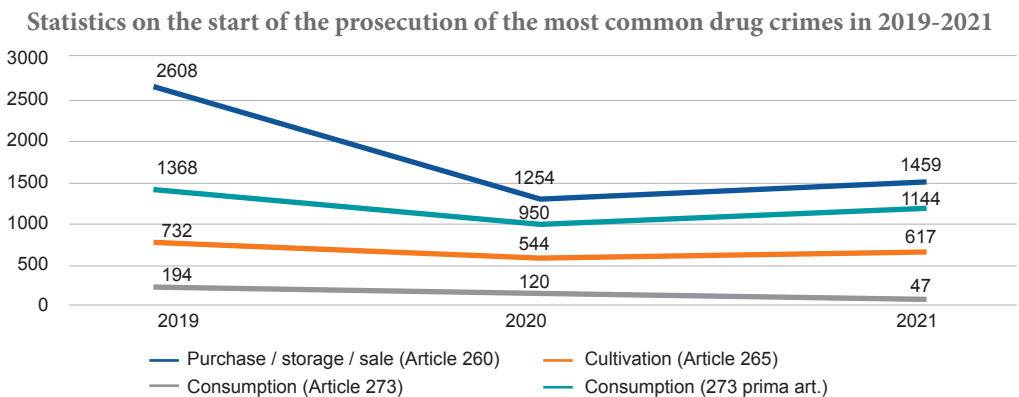
<sup>26</sup> The chart is created based on the crime statistics of the Ministry of Internal Affairs 2018-2021 by the Social Justice Center.

demic, which has weakened the attention of law enforcement agencies towards the control of drug-related crimes and drug users. Moreover, between 2020 and 2021, most of the entertainment and recreational as well as gastronomic spaces were closed and most of the social activities were moved to closed spaces, which may have affected crime, including drug-related crime registration statistics. However, it is noteworthy that from July 1, 2021, the country has abolished the curfew, which has been operating continuously for 8 months. Therefore, the Center got interested to which extent this could have had an impact on drug-related crime statistics. For this purpose, the 6-6 month segments of January-June and July-December 2021 were compared. Examination of the data revealed that in the first and second half of the year, drug-related crime statistics did not change significantly.

## 2.2. Statistics on criminal prosecution and convictions for drug offenses

In the reporting year, compared to the previous year, the rate of initiation of criminal prosecution increased slightly. In 2020, compared to the previous year, there was a significant decrease in the rate of prosecution, however, this trend was not maintained in 2021. For example, in 2019, a total of 5,120 persons were prosecuted for all types of drug-related crimes, and in 2020, 2,946 persons were prosecuted. In 2021, a small increase in the rate of prosecution is still observed, and according to statistics provided by the Prosecutor General’s Office of Georgia<sup>27</sup>, criminal prosecutions have been initiated against 3,319 persons, which is an increase of about 10% compared to the previous year.

The graphic representation of the statistics of the initiating the criminal prosecution in the last three years is as follows:

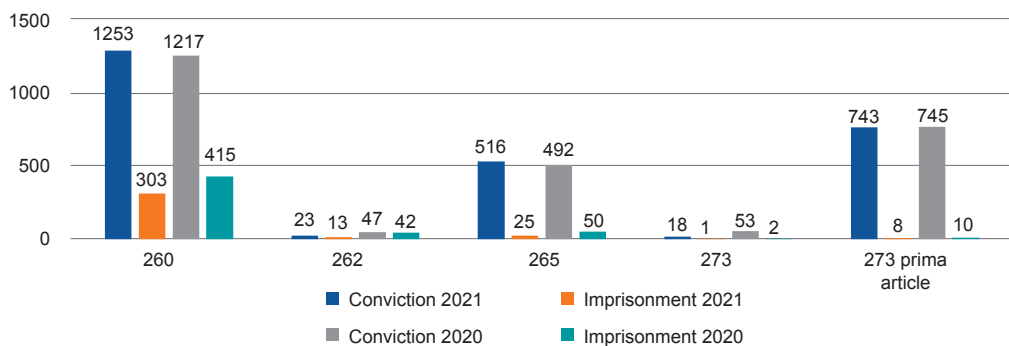


27 Letter N13 / 11279 of the Prosecutor’s Office of Georgia of February 28, 2022 and its annex.

The most common drug-related crimes, according to MIA statistics, are the illegal purchase, storage, transportation, transfer or sale of drugs; Illegal purchase, storage, transportation, transfer and / or sale of cannabis or marijuana and illegal planting, growing or cultivation of a plant containing drugs. Given this trend, most criminal prosecutions are in connection with these crimes. In 2021, the most frequent criminal prosecution was initiated under Articles 260, 265 and 273 of the Criminal Code. The rate of criminal prosecution under Article 273, which involves the illicit manufacture, purchase, storage, transportation, transfer, and / or consumption of small quantities of drugs without a doctor's prescription, has been declining over the last 3 years.

In 2021, out of 2,593 criminal cases brought before the courts of first instance, 2,569 were convicted, 6 were acquitted, and 18 were closed without sentencing. It should be noted that, in general, for all types of drug offenses, sentences were reduced.<sup>28</sup> If in 20% of the judgments rendered in 2020, the judge sentenced the accused to imprisonment, in 2021 this figure is reduced to 13.7%<sup>29</sup>, which means that out of 2,569 convicts, only 354 persons were sentenced to imprisonment<sup>30</sup>. As for the statistics of sentences imposed on cases under Article 260 of the Criminal Code, in this regard, in 2021, a declining trend was observed. Out of 1,253 persons convicted under Article 260, only 303 persons were sentenced to imprisonment, which is 24.1% of all imprisonments under Article 260. In 2019 and 2020, this figure was equal to 29% and 34%, respectively. The statistics of convictions and imprisonment for the most common crimes are as follows:

Statistics of Conviction and Imprisonment for the Most Common Drug Crimes, 2020-2021



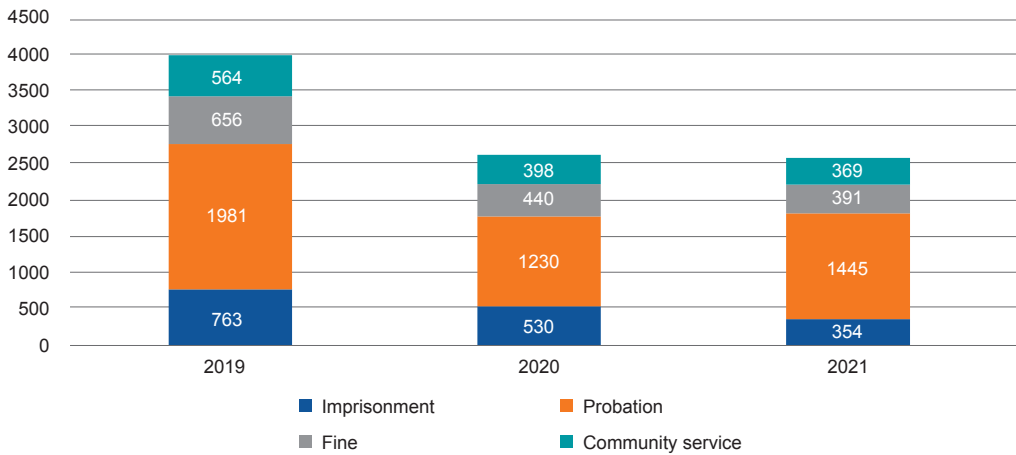
28 Social Justice Center, 2021, "Drug Policy in Georgia. Trends for 2020. " Available at: <https://bit.ly/3LqNK6R>.

29 Letter N P-169-22 of the Supreme Court of Georgia dated 14.03.2022, Statistics of verdicts and sentences imposed on drug crimes in 2020-2021.

30 Ibid.

In 2021, it can be said that the courts of first instances intensively applied non-custodial sentences. It is noteworthy that, compared to previous years, in 2021, imprisonment was the most rarely used sentence, which should be positively assessed. In the reporting year, the most frequently used sentence by the court was a conditional sentence. In 56% of the cases reviewed, the convicts were sentenced to conditional sentence. Also, the court intensively used fines and community service and shares of these sentences imposed were 15 and 14 percent, respectively. It should be noted that community service, in 2021, was ruled in all cases for the offenses under Articles 265, 273 and 273<sup>1</sup> of the Criminal Code. In total, the statistical distribution of sentences imposed for drug offenses over the last 3 years is as follows:

Sentences for drug offenses in the years 2019-2021



It should also be noted that in 2021, like in previous years, the vast majority of cases, specifically 88.2%, were concluded through plea agreements. In 2019 and 2020, the figure was 92% and 89%, respectively.<sup>31</sup>

### 2.3. Dynamics of forced drug testing

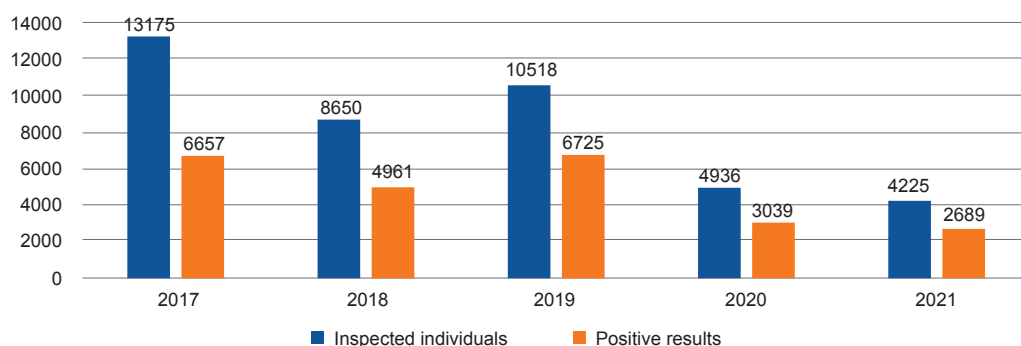
The Social Justice Center has for years considered the practice and legislation of citizens subjected to forced drug use inspection by law enforcement officials to be problematic and critical. The same criticism is developed by the international organization “Human Rights Watch”, which in its 2018 report indicates that the number of people who were submitted for forced drug testing is problematic, as well as the legal standard for trans-

31 Center for Social Justice, 2021, “Drug Policy in Georgia. Trends for 2020. “ Available at: <https://bit.ly/3LqNK6R>.

ferring a person to a laboratory test.<sup>32</sup> In this report, Human Rights Watch relies on official statistics from the Ministry of Internal Affairs, according to which, in 2012-2016, a total of 193,918 people underwent forced drug testing in Georgia, of which only one-third were confirmed to have used drugs.<sup>33</sup>

It is noteworthy that the rate of submission of individuals for drug use inspection has been decreasing almost every year since 2016. For example, while in 2013 alone, more than 60,000 and in 2014, more than 50,000 individuals underwent forced drug testing, the total number of persons admitted for compulsory drug testing from 2017 to 2021, for a period of 5 years, was 41,504 persons.<sup>34</sup> Such decreasing tests should be uniquely positively assessed.

Statistics of persons submitted for drug testing 2017-2021



The reduction of the number of inspections is important not only in terms of rational spending of human and financial resources of the state, but also improves the situation of citizens, especially those not in contact with drugs, and reduces the risk of inconvenient and possible ill-treatment caused by arbitrary and unsubstantiated inspections.

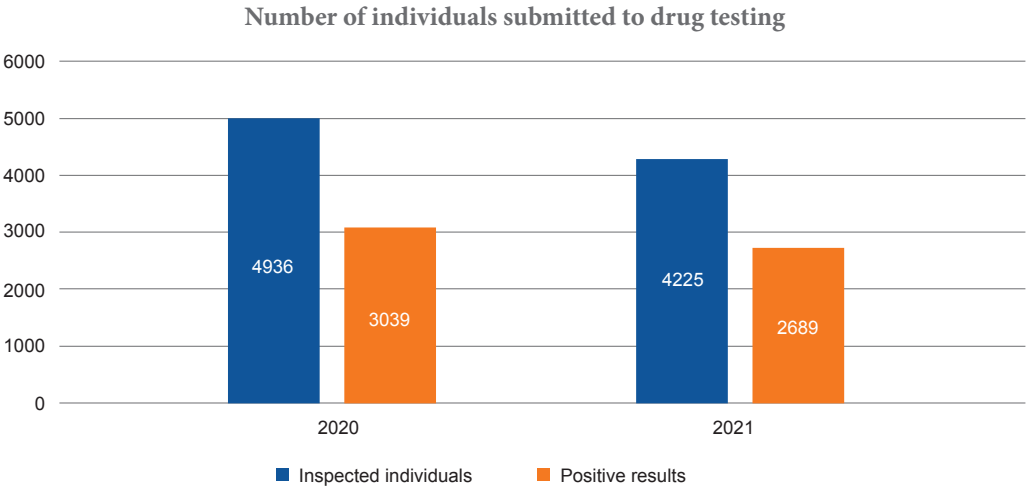
The presented statistical data show that in 2021 the intensity of submission of persons for forced drug testing continued to decrease. This decrease is noticeable, not only compared to the years when the number of drug tests reached alarming levels, but also compared to 2020, when the number of people who were submitted for drug testing in recent years was significantly reduced to 4,936. In 2021, as can be seen in the chart, the number

32 Law of Georgia on Police Art. “C” and “D” Doc. No: 1444-I, Available: <https://bit.ly/3K7Xl25>, Accessed: 01.04.2022.

33 Human Rights Watch, Harsh Punishment The Human Toll of Georgia’s Abusive Drug Policies, 2018, p 28, Available: <https://bit.ly/3iMcDgP>, Accessed: 01.04.2022.

34 Statistics of the Ministry of Internal Affairs on submission for forced drug testing, available: <https://bit.ly/3w6uq94>, accessed: 01.04.2022.

of people subjected to drug testing was 4,225, of which 2,689 were confirmed to have consumed any of the drugs. It should be noted that for the second year in a row, more than 60% of those that are submitted for drug testing are confirmed to have used drugs, which should also be considered an improved indicator.



However, it is unclear whether reducing the intensity of drug testing is a deliberate strategy of the Ministry of Internal Affairs, or a change in the fight against drug crime. The decline may also be due to a pandemic situation that has had a significant impact on human mobility and movement in open spaces. On the other hand, according to the decision of the Constitutional Court of Georgia<sup>35</sup>, the country has partially legalized the use of marijuana. If we consider that the main argument for submitting a person for drug testing in troubled years was a detection of marijuana use, it is possible that based on this decision, the testing mechanism for marijuana use was weakened and that this led to a decrease in the number of compulsory drug tests.

The declining trend of forced drug testing should unequivocally be assessed as positive. The Center will continue to monitor such statistics in the coming years, which will allow us to make more substantiated and fact-based arguments about the change in the dynamics of the situation.

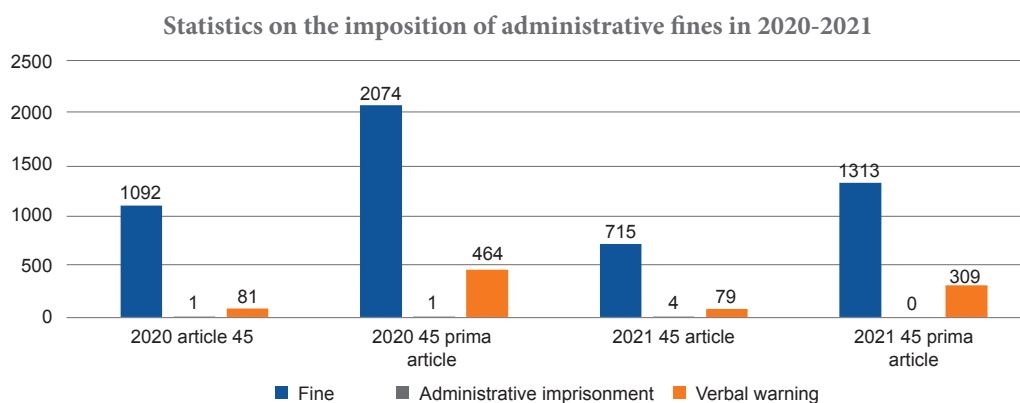
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35 Decision of the Second Panel of the Constitutional Court of Georgia on №1 / 3/1282 in the case “Citizens of Georgia – Zurab Japaridze and Vakhtang Megrelishvili v. Parliament of Georgia”, available at: <https://bit.ly/3qMOIYI>, accessed: 01.04.2022.

## 2.4. Administrative liability for drug-related offenses

In 2021, no changes were made to the legislation related to drug use. Consumption of drugs or possession of a small amount is, for the first time, punishable by a fine of GEL 500 or up to 15 days of administrative detention under a sanction under Article 45 of the Code of Administrative Offenses.<sup>36</sup> The sanction for the second use of a drug by a person the same year is provided by Article 273 of the Criminal Code. A different rule applies to the consumption or possession of a small amount of the plant cannabis or marijuana. Marijuana use in privately owned non-public space is not punishable, although the legislature in a number of occasions prohibits marijuana use and imposes appropriate fines ranging from 500 GEL to 2,000 GEL. It should be noted that the current legislation does not provide for criminal liability and imprisonment for marijuana use.

Statistics for 2020-2021 were requested from the Supreme Court of Georgia to study the dynamics of imposing administrative fines. In 2021, compared to the previous year, the number of persons held administratively liable under both Articles 45 and 45<sup>1</sup> of the Code of Administrative Offenses has decreased.<sup>37</sup>



As the statistics show, in total, in 2021, 719 people were fined for consuming or possessing small amounts of drugs, out of which only 4 were sentenced to imprisonment. As for the statistics in regards to marijuana, out of 1,313 convicts, all of them were fined. This is due to the fact that the administrative legislation, following

<sup>36</sup> Article 45 of the Code of Administrative Offenses of Georgia.

<sup>37</sup> Letter N P-170-22 of the Supreme Court of Georgia dated 14.03.2022, on the statistics of administrative offenses related to drugs and the penalties applied.

the decision of the Constitutional Court of Georgia, no longer provides for a prison sentence for marijuana use.<sup>38</sup>

The dynamics of a judges exercising their discretionary and issuing a verbal warning for a use of marijuana should be assessed separately. It should be noted that a verbal warning does not constitute an administrative penalty and, consequently, neither does Article 451 of the Code of Administrative Offenses provide for such a sanction. However, the judge has the power to release the offender from administrative liability and issue a verbal warning for a minor administrative offense.<sup>39</sup> Since a verbal warning is not a form of penalty, a person submitted to the court, after the verbal warning, shall be deemed not to have been subjected to an administrative penalty. For comparison, in 2020, 6.8% of those administratively liable under Article 45 of the Administrative Offences Code received a verbal warning, compared to 18% of Article 451. As for 2021, the rate of verbal warning for the offense under Article 45 was almost 10%, while for Article 451 it was 19%. The Social Justice Center hopes that these statistics will continue the positive dynamics in the coming years and that judges will be encouraged to use an alternative mechanism of sentencing in the form of a verbal warning.

## 2.5. Pardon Mechanism

Pardon, as an exclusive presidential power,<sup>40</sup> is an essential tool to improve the rights of convicted persons. In order to assess how efficiently does the President of Georgia utilize this mechanism and whether or not she sets strategic goals to improve the rights of persons convicted for the drug-related crimes, information was requested from the Administration of the President regarding the pardons granted by the President between 2019-2021 to the persons convicted of drug-related crimes, or, revocation of conviction of those persons, who had already served their penalty.<sup>41</sup>

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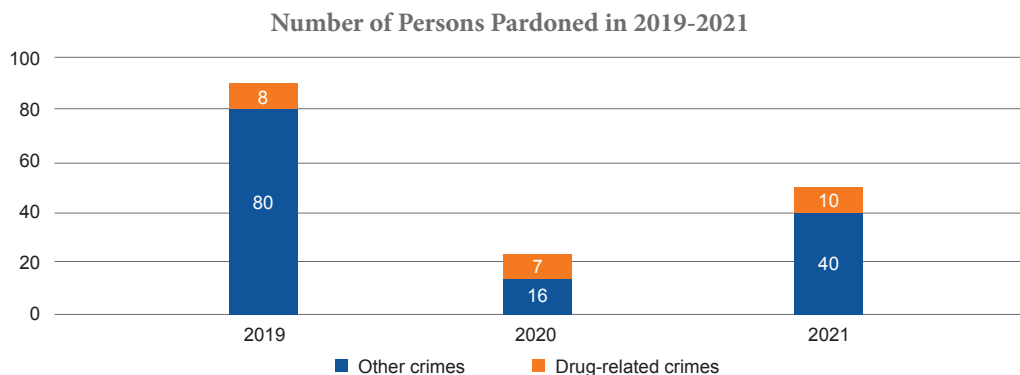
38 Decision of the Second Panel of the Constitutional Court of Georgia on №1 / 3/1282 in the case “Citizens of Georgia – Zurab Japaridze and Vakhtang Megrelishvili v. Parliament of Georgia”, available at: <https://bit.ly/3qMOLYI>, accessed: 01.04.2022.

39 Article 22 of the Code of Administrative Offenses of Georgia.

40 Article 52 of the Constitution of Georgia.

41 Letter N 1359 of The Administration of the President of Georgia, regarding the statistics of pardons granted by the President in 2019-2021 to the persons convicted of drug-related crimes, dated 28.02.2022





The Administration of the President of Georgia notified us that, in 2019-2021, the President of Georgia granted 161 pardons in relation to all crimes, out of which a penalty was lifted for 135 persons, a penalty was remitted for 25 convicts, and a conviction was revoked for one person.

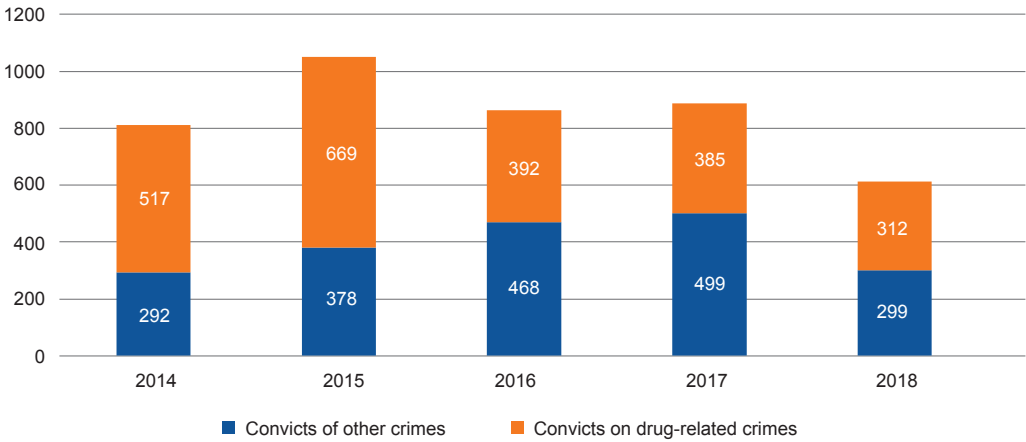
As for the persons convicted for drug-related crimes, only 25 were granted pardons within the three years. In 2019 – 8, in 2020 – 7 and, in 2021 – 10 persons convicted of the drug-related crimes were subject to the Presidential pardon. It is noteworthy that the number of persons granted presidential pardon is low not only for drug-related crimes but for all crimes in general. Granting a pardon to 25 persons in total within the three years does not substantially improve the rights of persons convicted of drug-related crimes, which indicates that social and legal rehabilitation of the above persons is not seen as a priority in the presidential agenda.

The abovementioned issue is problematic since, considering the strict legal framework in Georgia, the pardon mechanism could be used as an efficient tool for the premature release of the persons convicted of drug-related crimes from the Penitentiary institutions. For instance, the previous President had actively utilized the pardon mechanism precisely to counterbalance the severe penalties resulting from the strict legal framework. From 2014 to 2018, the President of Georgia granted a pardon to 4,211 persons in total, out of which 2,275 persons were convicted of drug-related crimes. Statistics of the above periods are following:<sup>42</sup>

<sup>42</sup> N 1598 letter from the Administration of the President, regarding statistics of pardons granted by the President in 2014-2018 to the persons convicted for drug-related crimes, dated 14.03.2022

Based on the statistical data provided below, it is evident that the previous President of Georgia had utilized the pardon mechanism more intensively and on a broader scale. From 2014 to 2018, the utilization of the pardon mechanism by the President, especially in relation to drug-related crimes, was one of the most efficient and large-scale tools to ensure the legal rehabilitation of persons convicted of drug-related crimes.

Number of Persons Pardoned in 2014-2018



### 3. Prevention and Harm reduction

Prevention of drug consumption is one of the critical aspects of the 2021-2026 National Strategy for the Prevention of Drug Abuse adopted by the Georgian Government.<sup>43</sup> The abovementioned document highlights the importance of drug-related risks and raising awareness in the context of harm reduction within the particular age and professional groups as well as society at large. The Strategy contains several positive statements, including, for example, those related to the introduction of school, neighborhood, and community-based prevention. However, attention is not paid to the role of implementing a humane drug policy in preventing drug-related crimes and drug consumption.

Considering that the primary goal of the above mentioned document is to raise awareness regarding the subject, Social Justice Center requested the Ministry of Education and Science the information in connection with Study Programs and Pilot Projects that are either already introduced in public schools or are planned to be implemented in following years. According to the information received from the Ministry of Education and Science of Georgia, the information regarding a healthy lifestyle and substance abuse are integrated into the study programs at different levels of Georgian public schools. It is clear from the letter of the Ministry that the above mentioned issue is incorporated into the educational process as part of a general topic of a healthy lifestyle, and not as an independent and separate issue. For instance, Ministry points to the competition of essays and comixes, directed towards popularizing a healthy lifestyle.

As for the separate programs, according to the information received from the Ministry, in 2020-2021, two intensive programs on “Drug Prevention for School Personnel and Pupils” were implemented in 11 public schools. 109 sessions were held for the youngsters above 13 and 65 sessions on the same topic for children below 13.<sup>44</sup> It is clear from the information received from the Ministry that so far, the scale of specialized training programs and projects is very small and at this stage, it is impossible to evaluate the issue of prevention of substance abuse by the minors or the effectiveness of the implemented programs.

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43 National Strategy on Prevention of Drug abuse 2021-2026, available at: <https://bit.ly/3yfhf8t>, accessed: 01.04.2022

44 Letter MES 7 22 0000269722 from the Ministry of Education and Science of Georgia, dated 16.03.2022

### 3.1. Prevention of lethal outcomes as a result of drug overdose

One of the essential aspects of the concept of harm reduction is reducing the number of deaths resulting from a drug overdose. Naloxone, which is a medication used in the instances of overdose,<sup>45</sup> is included in the list of substances in Group II in Georgia, which is issued based on form 3 prescription. The above medication is administered for those patients who are undergoing an overdose from the use of Opiates. Thereby, it is categorized as a life-saving medicine. According to the organizations that work on drug policy and drug-related issues, Naloxone should be removed from the list of medicines requiring a prescription,<sup>46</sup> given that its instant administration and, consequently, its easy accessibility is crucial to respond to the instances of overdoses.

Increasing the accessibility to Naloxone is a priority for numerous European countries as well. The majority of European countries have adopted the “Take Home Naloxone” concept, which is executed through the transmission of Naloxone to drug users, their family members, or close circle and offering detailed training programs regarding its use. Also, community organizations working on drugs and with the drug consumers or service provider medical institutions are authorized to issue Naloxone. The main goal of the concept is to create accessibility to Naloxone among drug consumers. Some European countries e.g. Italy and France included Naloxone in the list of medicines that do not require a prescription due to its life-saving purpose.<sup>47</sup> Consequently, it can be purchased by anyone in Pharmacies.

In Georgia, the program “Take Naloxone Home” has been implemented by the community organizations since 2009. In the framework of the program, up to 15 thousand doses of Naloxone are issued annually to the drug consumers, which plays a vital role in harm reduction. However, organizations working on the subject of harm reduction consider the removal of Naloxone from the list of medicines requiring the prescription as a matter of crucial importance.<sup>48</sup>

Georgian Government partially took into account the recommendation of the above-mentioned organizations and, under the resolution adopted on March 22, added Nal-

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45 Hydrochloride of Naloxone restrains the activation of Morphine, Heroine, Codein, methadone, Fentanyl, and other opiates.

46 Georgian Network of Mitigation of Damages, available at: <https://bit.ly/38KcNn8>, accessed: 01.04.2022.

47 European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), available at: <https://bit.ly/3N-Mpiir>, accessed: 01.04.2022.

48 Georgian Network on mitigation of Damage, available at: <https://bit.ly/3MNxmOw>, accessed 01.04.2022.

oxone to the list of medicines in “emergency assistance package”.<sup>49</sup> Notably, this does not mean that Naloxone was removed from the list of medicines requiring prescription. According to the amendment, citizens in “primary emergency need” can purchase the medication.<sup>50</sup> Whether or not the resolution adopted by the Georgian Government can solve the problem of accessibility to Naloxone will become apparent within the following months and years. It is essential that the state informs the pharmacy chains regarding the amendment and supplies the stocks of Naloxone in pharmacies in due time. At the same time, it is essential that no formal procedures are added for purchasing the medication in pharmacies in order not to deter the rapid access to the life-saving medicine.

Social Justice Center urges the Ministry of Health and Science of Georgia to provide, together with the insertion of Naloxone in the list of medicines in “emergency assistance package”, relevant information to target groups regarding the identification of the instances of overdose as well as purchase and administration of Naloxone and to offer relevant preparatory training programs, if necessary.

### 3.2. Opioid Substitution Programs

Opioid substitution therapy is considered the most efficient mechanism for treatment and management of opioid addiction. In Georgia, opioid substitution therapies are administered by using methadone and Suboxone/Buprenorphine, which are slow-acting opioids. These substances substitute fast-acting opioids such as Heroin, Desomorphine, Fentanyl, Etc. In 2021, Social Justice Center prepared information brochures<sup>51</sup> and research documents<sup>52</sup> regarding substitution therapies.

The information was requested from the Ministry of Internally Displaced Persons from Occupied Territories, Labor, Health and Social Security of Georgia (hereinafter the Ministry of Health) and the Special Penitentiary Department of the Ministry of Justice regarding the implementation of opioid substitution programs in 2021. The Special

49 Resolution N 141 by the Government of Georgia, dated 22 March 2022, available at: <https://bit.ly/3F6W-jln>. See also the list of “emergency assistance package” medicines: <https://bit.ly/3LH0PtI>.

50 Resolution N 166 by the Government of Georgia dated 20 April 2015, “Technical Reglament – adopting the regulations on issuance of pharmaceutical products with the dosage corresponding the individual needs of the patient by authorized pharmacy and pharmacy – (specialized trade object) by way of removing and packing the original packaging” annex N 1.1 “Emergency Assistance Package,” available at: <https://bit.ly/3FcFghz>.

51 Social Justice Center “what is substitution therapy?”, 2021, available at: <https://bit.ly/3qOO8nP>.

52 Social Justice Center „Substitution therapy programs for opioid-dependent persons in Penitentiraty system,” 2021, available at: <https://bit.ly/3LrxLp4>.

Penitentiary Department informed the Social Justice Center that methadone detoxification therapy was offered only in two penitentiary institutions – N2 and N8. However, according to the Ministry, it does not process statistical data of the persons involved in the program. Therefore, we are unable to discuss the implementation process of the program, the number of beneficiaries involved, and the scale of the program in the present report.<sup>53</sup>

Pursuant to the information provided by the Ministry of Health to the Social Justice Center in 2021, in the territory of Georgia in total 15,820 persons were part of in opioid substitution programs, out of which 2,700 persons joined in 2021.<sup>54</sup> It is noteworthy, that by the letter sent to the Ministry, the Social Justice Center was requesting the statistical information regarding the total number of applications submitted to the Ministry of Health by the persons willing to be involved in the opioid substitution programs in 2021, the number of applications approved or the reasons for rejecting the applications. However, the Ministry of Health did not respond to the above questions of the Social Justice Center and failed to provide the information regarding the total number of persons willing to be involved in the program and the statistical data regarding the Ministry's decisions in this respect. Consequently, the Social Justice Center cannot assess in the present document whether the program is accessible for the broad circle of drug consumers and the persons willing to participate in the program.

Due to the Covid-19 pandemic in 2020-2021, the need to allow the beneficiaries of the substitution therapies to bring the medications home came up numerous times. Relevant order<sup>55</sup> was first amended in March 2020, when the operation of public transport stopped due to the situation caused by the pandemic. According to the above amendment, the program's beneficiary was able to take the 5-day dosage of the medication home. From the 1<sup>st</sup> of February, despite the aggravation of the epidemic situation in the country, the above regulation was abolished. At the time of publishing this report, program beneficiaries receive the daily dosage of medication in the special service provider centers, pursuant to the old regulation.

It is noteworthy that the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) supports adopting the improved methods for accessibility to the necessary

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53 Letter N70010/01 of the special penitentiary department of the Ministry of Justice of Georgia, dated 14.03.2022 N70010/01.

54 Letter N 01/8525 from Ministry of Internally displaced persons from Occupied Territories, labor, health and social security of Georgia, dated 30.03.2021

55 Order N 01-41/ of the Minister of labor, health and social security of Georgia on implementation of the special program of substitution therapy for drug addiction, available at: <https://bit.ly/3KDtXAl>.

medication for the beneficiaries of the substitution therapy programs. The document disseminated by the Centre<sup>56</sup> discusses the potential risks while transferring the medication to the beneficiaries of substitution therapy and their particular needs. EMCDDA relies on the recommendations of the World Health Organization<sup>57</sup> regarding the necessity to pay special attention to the beneficiaries of the substitution therapy while transferring the medication at the initial stage of the program. However, in the case of long-term and stable involvement, a different approach can be implemented with respect to the beneficiaries who are considered low-risk, and they may be allowed to receive the dosage for several days. According to the recommendation, the crucial point is to determine, what is the primary interest – the daily appearance of the patient and intake of the necessary medication under the supervision or fulfilling such essential social duties by him/her as starting a job and being employed.<sup>58</sup> Social Justice Center considers that it is desirable to promptly adopt a more humane approach in the opioid substitution programs and to allow, based on the individual circumstances, those beneficiaries of the program who are distinguished with the consistent behavior and have not violated the duties and regulations under the program to take more than one dosage of the medication under the substitution therapy. On the one hand, this would mitigate the problem of everyday transportation for the beneficiaries. On the other hand, it will contribute to their personal and professional development and fulfillment of their social functions.

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56 European Monitoring Centre for Drugs and Drug Addiction, 2016, “Perspectives on drugs. Strategies to prevent diversion of opioid substitution treatment medications”. Available at: <https://bit.ly/3qOFdTa>, accessed: 01.04.2022.

57 The World Health Organization’s Guidelines for the psychosocially assisted pharmacological treatment of opioid dependence, 2009, available at: <https://bit.ly/3uKIe8i>, accessed: 01.04.2022

58 European Monitoring Centre for Drugs and Drug Addiction, 2016, “Perspectives on drugs. Strategies to prevent diversion of opioid substitution treatment medications, available at: <https://bit.ly/3qOFdTa>, accessed: 01.04.2022.

## Conclusion and recommendations

As evidenced by the data studied, the main challenges with regard to drug use have not been resolved in 2021, and no fundamental and paradigm shifts have taken place. Drug policy in the country is still planned and implemented based on the law-enforcement and control rationale, and the issue is primarily discussed from the criminal and security perspective. The health component of drug policy remains a mainly secondary, additional issue. The State's approach toward drug crimes is still strict. This is demonstrated by the fact that in 2021, the penalties for drug dealing were substantially increased under Articles 260 and 261 of the Criminal Code of Georgia. Social Justice Center considers that any change in the law should be made on the basis of deep analysis, research and evidence, which, unfortunately, remains one of the main challenges for the law-making process in the country.

However, some improvement in the statistical data on the drug situation is noticeable. In recent years, the number of people transferred for drug tests has progressively decreased. Additionally, the ratio of positive results of the drug tests has sharply increased, which might mean that transferring the persons for drug tests is mainly based on objective standards rather than random. Furthermore, positive changes are noticeable in the dynamics of imposing the penalties for the persons convicted of drug-related crimes. In 2021, incarceration was the least used penalty for the persons convicted of drug-related crimes, which deserves a positive assessment. Social Justice Center urges the Government to take further steps in terms of the improvement of the drug situation and humanization of drug policy:

- Adoption of a humane, evidence-based drug policy should become a priority. The issue should be viewed not only from law-enforcement and criminal but also health perspective, and relevant legislative amendments should be carried out in this respect.
- State institutions, including the Ministry of Internal Affairs of Georgia Prosecutor's Office and Common Courts, should improve the methods for the collection and processing of statistical data. State Institutions should process relevant statistics on drug-related crimes according to separate articles and paragraphs.



- The Ministry of Internal Affairs of Georgia should ensure the participation of stakeholders, experts, and community organizations, during the elaboration of legislative initiatives. The law should not become stricter without providing appropriate evidence and research. By contrast, the steps should be taken to fundamentally transform the drug policy and adopt the rights-based policy.
- The aspects of prevention and mitigation of damages should be strengthened through the coordination between the Ministries of Health and Education. The state should allow the wide accessibility of opioid substitution programs and improve existing services.