

REPORT

Drug Policy Dialogue in Southeast Europe

January-December 2012

A. The ninth (9th) Informal Drug Policy Dialogue, Prague, 26-28 January 2012.

The ninth (9th) informal drug policy dialogue organized by the Transnational Institute and the Association DIOGENIS, drug policy dialogue in Southeast Europe, has been held from 26-28 January 2012 in Prague, Czech Republic. The dialogue in Prague focused on three main issues a. the debate on the new European Union Strategy on Drugs 2012-2020, b. the new reform policy initiatives on cannabis and c. the future of the international drug conventions.

The Drug Policy coordinator of the Czech Republic, that hosted the dialogue, presented the National Drug policy of the country. A group of participants visited a program of harm reduction in a neighbourhood of Prague.

With regard to the New Drug Strategy of the EU the discussion focused on the possibilities offered by the European Treaty of Lisbon in order to achieve a more effective policy on Drugs. The discussion on the new EU strategy took place during 2012, starting under the Danish Presidency and has been concluded under the EU Presidency of Cyprus.

At the session on "new developments in cannabis policy reform" project initiatives have been presented which are developed at the level of local governments in Utrecht (Netherlands), in Servan (France), Copenhagen (Denmark) and Zurich (Switzerland). National initiatives in Canada and Spain have also been presented. Reference was made to state initiatives in the U.S. (the State of California and 16 other states) and in countries in Latin America. The initiatives at the local level are an indication that local administrations stress the need to find solutions for the cultivation and availability of cannabis, the most widely used psychoactive drug in the world (about 170 million users).

The discussion on the future of the UN drug control conventions focused on the possibilities to reform the international treaties and adapt them to the needs of our time. Several views have been expressed and difficulties for a constructive dialogue

have been identified. Differences that exist between member states of the UN are a main obstacle for an open dialogue.. It is a matter of time to recognize that the current system does not meet the needs of our times and must be reformed.

B. Dialogue meetings Greece

The drug policy meetings in Greece focused in 2012 on some items that were of crucial importance for the legislative reform in the country, the repercussions of the economic crisis on the level and the quality of the services for prevention, treatment and rehabilitation, the rise of HIV cases and the elimination of the waiting lists for substitution treatment (methadone and buprenorphine). Besides the internal developments, information exchange about international trends and developments were a permanent agenda item.

In the previous years the meetings were held at the premises of the Papandreou Foundation. Since the change that took place in 2011 we have decided in 2012 to meet at the premises of the participating organisations in Athens and Thessaloniki. On February 9th the first meeting took place in Athens. The items that have been discussed were the waiting list for substitution treatment, the new psychoactive substances, the rise of the HIV infections, the new law on the "Code on Drugs", the reaction on the proposal of the European commission for a stronger response to drugs and the activities of the Drug Policy network in SEE as well as the Drug Law reform project. There has been suggested that on the HIV/AIDS issue an initiative for a regional meeting would be promoted. Diogenis has offered support for the realisation of this idea and suggested to contact European and international organisations. At the CND in March Diogenis and OKANA have had contacts with the HIV/AIDS section and the Regional Programming Team for Eastern and South Eastern Europe of UNODC. The contacts were positive but they did not result in concrete action. OKANA has cooperated with EMCDDA on the issue and two reports have been published on the recent outbreak of HIV infections among drug injectors in Greece. An updated report has been published in October 2012. (see also the paragraph below on the outbreak of HIV in Greece)

On the 4th of May and 12th of May meetings took place in respectively Thessaloniki and Athens for an update about the results of the elimination of the waiting list for the substitution programmes, the disappointing development of the postponed discussion of the new law on the "Code on drugs" (see also the separate paragraph on the "Code on Drugs"), and the negative consequences of the cuttings in the budget of KETHEA and OKANA. The Thessaloniki unit of OKANA has been successful in eliminating the waiting list, while in Athens there are still long waiting lists. In Athens I raised again the issue of a regional conference reminding OKANA of the positive reaction of UNODC, but in the troublesome political situation the main stakeholders in Greece (OKANA, KETHEA, NGOs working with HIV positive) were not

optimistic about organising a regional event. Diogenis came to the conclusion that there was no possibility to undertake a regional initiative since the main stakeholders were not in the position to act.

In September (24/9), besides the meeting with OKANA and KETHEA) we visited the NGOs PRAKSIS and Kentro Zois (Centre for Life) and the section of Médecins du Monde working with drug users, who provide services to injecting drug users. These organisations are important NGOs in the cities of Thessaloniki and Athens. Kentro Zois became member of the Drug Policy Network in SEE and it is expected that Praksis will do the same. The drug services in Greece are provided mainly by OKANA and KETHEA who are recognised and financed by the Greek government as the providers of services and play a decisive role in policy making. The contacts with other NGOs who act independent from the government are important for their involvement in drug policy. The meetings with them were aiming at a closer cooperation with the Diogenis Association.

The HIV outbreak in Greece

For the past two years, mainly in the Athens region, there has been an upsurge in HIV. Cases of HIV have increased from 2010 to 2011 by 57%. 65% of this increase represents cases of intravenous use of narcotic drugs. The increase in HIV infections among people who inject drugs comes from the shared use of needles and syringes and the lack of condom use. In addition, the insufficient availability of substitution treatment and clean syringes may have contributed to the rise in the cases of HIV. The data collected from surveys show that the upward trend in cases of HIV concern mainly men who have sex with men and men who have had sex with sex workers living with HIV. The cases of HIV transmission from sex workers caused a strong public debate when the police arrested sex workers living with HIV and, in order to "warn" men who may have had sex with them, publicised in the press and other mass media photographs of the arrested women. Over 8000 men called the authorities, chiefly the Centre for Control and Prevention of Diseases, asking to be tested for possible infection. Characteristic reactions of the daily press focused on immigrant sex workers living with HIV even though the large majority of the arrested women were Greek. In parallel with the disclosure of personal data and photographs of the women by the police the public prosecutor brought criminal proceedings for attempted deliberate grievous bodily harm against these women. Eventually, the women were taken into custody.

These events took place in the run-up to the election of representatives to the Greek Parliament. Hundreds of citizens and civil society organisations denounced the publication of the details of the sex workers as a serious error on the part of the Ministry of Protection of Citizens and Health, talking of a blatant violation of human rights and a "deliberate pre-election witch hunt".

According to press reports the Minister of Health had provoked reactions when, at the end of 2011, he had recommended the deportation of immigrant sex workers living with HIV, stating that "transmission occurs through the illegal immigrant to the Greek client, to the Greek family".

The responsible authorities began a campaign for the free availability of condoms as well as syringes to people who inject drugs. All services involved work in close cooperation with NGOs in Athens such as the Centre of Life, PRAKSIS, Doctors of the World, The Positive Voice.

A group of experts from the European Centre for the Prevention of Diseases (ECDC), the World Health Organisation (WHO) and the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) visited Athens in November 2011 and May 2012 to assess the problem of HIV infections. The European Commission asked for a risk assessment of the epidemic and to examine which actions are necessary to deal with it. In October 2012 an updated report about the Outbreak of HIV infections among injecting drug users has been published for the EMCDDA.

The new Greek "Code on Drugs"

The promising initiative of drug law reform seemed to be realised in January 2012 by the adoption of the government's proposal for a new "Code on Drugs". The minister of justice submitted the new proposal to parliament. The parliamentary commission discussed the proposal and although there was opposition of some of two of the coalition parties, the proposal has been approved and was ready to be discussed in the plenary. It was expected that the plenary would vote in favour of the proposal. The political parties of the coalition which opposed the proposal have in the end succeeded to postpone the discussion of the bill in the plenary. They threatened with a political crisis. In period that Greece was negotiating with the European Union to help avoid the bankruptcy of the country. That was too risky and the government was forced to hold the bill. In the mean time there have been twice parliamentary elections and the new coalition government has been formed in the summer 2012. In October 2012, the new minister of justice announced that he would submit the bill to the plenary. Up to now (beginning of January 2013) it is unclear if and when the new bill will be submitted in the plenary.

C. The Drug Law Reform project

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.

The 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.

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 Greifswald, Germany; Faculty of Sociology and Social Work, University of Bucharest; Faculty of Special Education, University of Belgrade, Faculty of Criminal Justice and Security, University of Maribor. (see also attachment: Researches and their Universities and Research Institutes cooperating in the DIOGENIS Drug Law Reform Project in South East Europe)

The contacts with the researchers took place in the first months of 2012. A Note with background information about the project was written and a questionnaire for the researches has been set up. The researches have been approached with these documents and have been asked whether they are willing to cooperate and write a country report on the basis of the questionnaire. A contract has been signed between Diogenis and the researcher(s). For some countries two researchers have been involved in writing the report. They shared the work and the fee. It has been a time consuming process, because in several cases there have been changes of researches

due to personal circumstances and new researchers had to be recruited. In October 2012 all 10 reports were ready. Diogenis has planned to publish the reports in a volume. The volume will be published by "Nomiki Vivliothiki" (Law Library) a prominent publishing house on law issues in Greece. The publication will be in English. The costs for the publication will be covered by the budget earmarked for this project. Diogenis has informed the OSI office about this plan.

Drug law reform Consultation

From 1-2 November 2012 a consultation took place in Thessaloniki, Greece with the researchers who have cooperated in the Drug Law Reform Project and have written the country reports. The country reports contain an overview of the drug strategies and plans of action, the drug legislation in the SSE countries and the opinions of stakeholders (responsible authorities, agencies, institutions and non-governmental organizations working in the areas of prevention, treatment, social (re)integration and law enforcement). Shortcomings of the current policy and future prospects are included in the reports. Researchers from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Former Yugoslav Republic of Macedonia, Greece, Montenegro, Romania, Serbia and Slovenia wrote the reports. The reports were the main topic on the agenda. The researchers from Albania, Bosnia and Herzegovina, Montenegro and Romania were not able to attend the meeting.

The report of the meeting reflects the discussions that have taken place on the two main items of the agenda:

- 1.The Drug Law Reform Project; Comparative Research; Answers
- 2.The Drug Law Reform Project and future plans.

or both items discussion papers had been prepared. The discussion paper "Drug Law Reform Project; Comparative Research; Answers" was based on a first comparative analysis of the country reports, focusing on five thematic areas; 1. National strategy on Drugs; 2. National substantive criminal law; 3. National drug laws and institutions; 4. Drug law enforcement in practice; 5. Sentencing levels and the prison situation. For each area, comparative conclusions and comments were presented and discussed with the participants.

The last session of the meeting included an open discussion on the discussion paper "Drug Law Reform Project - The way forward". The paper referred to proposals and recommendations of the relevant departments, institutions, agencies, and the NGOs, and to suggestions for the further development of the project. The participants suggested to continue the project and made proposals for future activities.

D. The Drug Policy Network in South East Europe

Meeting of the Drug Policy Network in South East Europe, Vienna 8-9/03/2012

From 8 to 10 March 2012 the fourth meeting of the Drug Policy Network in South East Europe took place in Vienna Austria. Ten (10) NGOs from 10 countries in the region participated at the meeting. The program included a discussion with the National Drug Coordinator of Austria Dr. Franz Pietsch, a visit to the UN Office on Drugs and Crime and a visit to the institution "DIALOG", Integrative Addiction treatment. At the offices of the UN the group met with the Unit of the UN agency responsible for communication with the organisations of Civil Society (Civil Society Unit), the UNODC Regional office for South Eastern Europe, the Unit for Prevention, Treatment and social rehabilitation and the Unit responsible for HIV/AIDS. It was a good opportunity that made possible to have direct contact with the relevant UN bodies for the Region of SE Europe and to discuss issues of common concern.

At the meeting in Vienna it has been decided to publish a quarterly Newsletter of the Network coordinated by the Diogenis Association. It has also been decided that Network organisations will work together to submit an application to a call of the European Commission of the "Civil Society Facility Partnership Programmes for Civil Society Organisations (CSOs), Support to regional thematic networks. Budget line 22.020701: "Regional and Horizontal Programmes".

Visits and workshops SEE countries

Four country visits have been realised during 2012. The idea was to organize during some of the visits a workshop on a relevant issue in the country concerned. This has proven to be difficult because of the preparations that have to take place. Participants at the workshop have to be invited, preparation of the item has to take place (speakers, presentations etc). Time constrains on the side of the country NGOs as well as on the side of Diogenis Association did not allow to organise a workshop with external participants. The visits have been used for an update of the developments and activities of the Network NGOs, meetings with the researches involved in the Drug Law Reform project and relevant policy makers and politicians.

Visit to Albania

From 9 to 13 of April I visited Albania with the purpose to discuss with Aksion Plus, the Albanian member of the Drug policy Network in South East Europe, current developments in the Albanian drug situation, contact relevant institutions and persons who are involved in the work of Aksion plus and co-operate with Aksion plus

in writing the application of the Drug Policy Network in SEE that has been submitted to the European Commission "Civil Society Facility Partnership Programmes for Civil Society Organisations (CSOs), Support to regional thematic networks. Budget line 22.020701: "Regional and Horizontal Programmes" Reference: EuropeAid/132438/C/ACT/Multi. Deadline for submission of proposals: 13 April 2012".

A major achievement of Aksion Plus in the past year was the realisation of a modern and adequate building for their offices and the facilities for the methadone unit in the city of Tirana. The building is equipped, besides the Methodone facilities with several consulting and meeting rooms, a large hall for conferences and other public events.

Drug Law Reform initiative in Albanian Parliament

A meeting with Ms Ermonela Felay, member of the Albanian Parliament for the Socialist Party has been organised in order to discuss the state of affairs with regard to the parliamentary initiative for amendment of the criminal law on drugs.

In the Vienna meeting of the Drug Policy Network in South East Europe, it has been decided to submit a proposal to the Call of the European Commission. Aksion Plus would be the applicant and the organisations participating in the network would submit proposals to be included in the application. For the coordination of this action it was necessary to assist Aksion Plus with the application. Diogenis has supported the initiative and played a coordination role keeping together all the organisations of the Network. At the final stage of the procedure the team of Aksion plus and Diogenis worked together in writing the text of the "concept note", the integration of the proposals of several Network organisations and putting together the information required for the full application. It has been a very intensive work which has been completed in full agreement among all interested organisations of the Network

Visit to Slovenia 11-12 September 2012

The purpose of the visit to Slovenia was to meet with Joze Hren, senior Advisor of the ministry of Health, Mina Pas, president of the newly established Harm Reduction Association, Andrej Kastelic, President of the SEE Adriatic Drug Addiction Network (SEEA-net) and Prof. Boris Dobovsek of the Faculty of Law, University of Maribor who is cooperating in the Drug Law reform Project of the Diogenis Association.

Mr. Hren provided an update on developments in drug policy pointing out that in February 2012 a new national commission on drugs of 9 members has been established where also NGOs are represented. In December 2011 The High-level Conference of the Pompidou Group (Council of Europe) adopted in Ljubljana a declaration on the enforcement of international co-operation among drug authorities in the region of South-East Europe. The "Drug Policy Co-operation in South-East

Europe" a group of civil servants has been established. Slovenia has the secretariat of the initiative and may help with suggestions of invitees to our informal dialogues.

A meeting took place with Mina Pas, president of the newly established Harm Reduction Association in Slovenia. Twelve (12) NGOs who provide harm reduction services in Slovenia joined the initiative and are working together in order to coordinate their work and give voice to their standpoints concerning harm reduction services in Slovenia. The Association is member of the Slovenian National Commission on Drugs. The last meeting I had in Slovenia was with Dr. Andrej Kastelic president of the SEEANet. An mutual update took place. Andrej Kastelic is involved in several methadone substitution treatment projects in South East and Eastern Europe and by the set up of harm reduction services.

Visit Croatia 12-13 September

In Croatia we visited for the first time the NGO Udruga Terra. Dejan Travica, manager of the harm reduction programme, has led me around by the drop-in and the counseling centre and provided information about developments concerning NGO Terra and its relationship to the local government. In Rijeka I met also with Dalida Rittossa of the Faculty of law in Rijeka. Rittossa has written the report of the Drug Law Reform Project on Croatia.

Visit to Serbia 14-16 September

In Serbia we had a meeting with NGO Veza, with Ingo Stockel, former coordinator of INSADA (The EU project "Implementation of the National Strategy Against Drug Abuse in the Republic of Serbia" (INSADA) , with Dragoljub Jovanovic who wrote the report of the Drug Law Reform Project on Serbia and with the NGO Prevent in the city of Novi Sad.

E. Media, Publications

Website

The Diogenis website has been used to report on several events of the Association, the Drug Policy Network in South East Europe and other NGOs and to disseminate information about national and International developments. The site is in two languages (Greek and English). ([www, diogenis.info](http://www.diogenis.info))

The Newsletter of the Drug Policy Network in South East Europe

After the decision taken in Vienna the Newsletter has been published regularly. In the three first three (3) numbers of the Newsletter has been reported about Drug

developments in Greece, Albania, Bulgaria, Croatia, Serbia, Bosnia and Herzegovina and the Former Yugoslav Republic of Macedonia. The remaining countries Romania, Slovenia Montenegro will report in February 2013. The Newsletter has been received positively and is appreciated. The Newsletter is send to about 300 people: policy makers, civil servants, NGOs, experts and services for prevention, treatment and rehabilitation.

Briefing Papers

Diogenis started a series of briefing papers in 2012. The first two papers are translations into Greek of the briefing papers : The limits of Latitude (TNI/IDPC) and Cannabis social clubs in Spain (TNI/FAC). Both papers are relevant for the discussion that is taking place in Greece about decriminalization of cannabis and the initiative to open supervised drug consumption rooms.

F. Other

Conference Forum Drogue on "The road to humane and effective drug policies"

From 24-26 February 2012 a conference has been held in Syracuse Sicily by the organization Forum Drogue. The theme was: "The road to humane and effective drug policies" Diogenis Association participated at this conference.

Comments of the DIOGENIS Association on the Communication of the European Commission "Towards a stronger European response to drugs"

The European Commission published the communication "towards a stronger European response to drugs" and asked for comments in the framework of a public consultation. The Association DIOGENIS submitted by this opportunity a note expressing its views on the European Commission's proposal. The comments were based on the experience of many years following the European drug policy, the experience of the Informal Drug Policy Dialogues and the experience in the Drug Policy Network in South Eastern Europe, where NGOs from all countries of the region are participating.

Evaluation of the European Council Recommendation on harm reduction

Diogenis contributed to the evaluation of the European Council Recommendation of 18 June 2003 on drug related harm reduction by answering the questionnaire of the organisation "Gesundheit Österreich GmbH" that aimed to assess the situation concerning harm reduction in Greece and to propose measures which should be implemented or expanded.

Membership of the Vienna NGO Committee/Consultative Status ECOSOC

Diogenis Association has applied for membership of the VNGO Committee and is since June 2012 member of the committee.

Diogenis has also submitted an application for Consultative Status with the Economic and Social Council of the United Nations.

4

Project outcomes

-The Dialogues have proven to be a useful platform for Policy makers, experts and practitioners to exchange views and experiences on strategic issues concerning drug policy reform. At a brainstorm meeting about the future of the Informal Drug Policy Dialogues and Expert Seminar series in Amsterdam (July 23. 2012) several aspects of the Informal Dialogues have been discussed: evaluation of the role of the dialogue series and the relationship with the expert seminars, Cooperation with new actors in drug policy dialogue, Participation of Government officials at the informal dialogues, the way forward. The conclusion was that the dialogues will continue to be organised focussing more to a move from analysing information towards facilitating advocacy.

-The Drug Policy Network in SEE has functioned well. The Newsletter has been published as agreed, the cooperation for submission of the application to the call of the European Commission "Civil Society Facility Partnership Programmes for Civil Society Organisations (CSOs) has shown that the organisations of the Network are in the position to act together. New Members have jointed the Network and cooperation with the Drug law Reform project will continue.

-The researchers team for the Drug Law Reform project has been formed. Ten (10) reports were written on the "Drug Policy and Legislation in the countries of South East Europe". The team of researchers will continue functioning in order to implement research on areas of drug policy and drug law.

-Besides the Newsletter, Diogenis has published the first two of a series of Briefing Papers on drug reform policy and drug legislation.

5.

Evaluation

-The activities of Diogenis have been discussed in the meeting of the Advisory Board in January 2013. A discussion note has been presented for this discussion

-New organisations have joined the Network and there are some new applications for membership.

-The objectives as defined in the work plan 2012 have been achieved.

6.

Sustainability

-The publication of the country reports on "drug policy and legislation in SEE" will be the basis for public discussions organised by NGOs in the respective countries and the Universities/research institutes. The organisation of debates is being supported by this publication and by the briefing papers. There is continuity in the activities of the Drug Law Reform project and there are opportunities for further expansion.

-The grant of the European Commission for 2013 and 2014 is of great importance for the project and guarantees for the coming period a financial basis.

7.

Co-funding

As referred on point 6, the EC grant is the main co-funding possibility at the moment. Diogenis will try to involve also other potential donors, although it will be difficult in the current economic situation to acquire funds from the countries in South East Europe.