

REPORT
**Drug Policy Dialogue in Southeast Europe and Drug Law Reform
project**
January – December 2014

Project implementation

A. The 11th Informal Drug Policy Dialogue Athens, 24 and 25 January 2014

The eleventh Informal Drug Policy Dialogue, co-organized by the Transnational Institute (TNI) and Diogenis Association, took place on 24th and 25th of January 2014 in Athens, Greece. Participants from Czech Republic, United Kingdom, the Netherlands, Germany, Italy, Greece, Slovenia, Bulgaria, Hungary and the countries of Northern, Central and Southern America, United States of America, Mexico, Bolivia, Ecuador and Argentina attended the meeting. The Dialogue also included representatives from the European Monitoring Centre on Drugs and Drug Addiction (EMCDDA), the Pompidou Group of the Council of Europe, the United Nations Office on Drugs and Crime, the Drugs Policy Unit European Commission and the Office of United Nations on AIDS. The programme included five sessions: The first session looked at an overview of the national Greek drug policy and the drug situation in Greece, developments of drug policy in Greece; the second session was dedicated to the current state of affairs in Vienna: preparations for the CND high-level review and negotiations of the Joint Ministerial Statement; the third session discussed global cannabis policy developments; the control of New Psychoactive Substances (NPS) was subject of discussion in the fourth session; and finally, in the fifth session, the road towards the upcoming UN General Assembly Special Session on Drugs (UNGASS on drugs) in 2016 has been discussed. The dialogue has been very interesting and formed a good preparation for the 57th CND (the High Level segment as well as the usual activities of the annual session)

B. The Seminar on Cooperation between law enforcement and social and health services in the field of drugs in South Eastern Europe, Sofia, Bulgaria 5-6 June 2014

On June 5 and 6 a seminar organized by the Association Diogenis as part of the program "New approaches and interventions in drug policy" took place in Sofia, Bulgaria. The meeting was attended by about 25 people from the 10 countries of Southeast Europe, Germany and Cyprus. The seminar was co-hosted by the Centre for the Study of Democracy that is based in Sofia, Bulgaria. The theme of the meeting was about the cooperation between law enforcement agencies and service providers in the field of drugs. On behalf of law

enforcement two initiatives have been presented: One about the cooperation between police and service providers to drug dependent people in the city of Frankfurt, Germany and another initiative about drug use prevention mainly by young people / teenagers in Nicosia, Cyprus. On behalf of service providers, practices have been presented about their services to drug users in their respective countries as well as about the attitude of the police towards users and the dialogue between service providers and the authorities in general.

The purpose of the seminar was to discuss innovative approaches about the cooperation between law enforcement authorities and service providers in order to achieve evidence-based, successful and effective prevention interventions in the field of drugs and especially in the prevention of HIV and other infectious diseases. The seminar was further aiming to make concrete proposals for effective collaboration and joint action programs between law enforcement and service providers in the countries of South Eastern Europe.

C. The Informal Drug Policy Dialogue in South East Europe (SEE), 10 & 11 October 2014 Athens, Greece

The Informal Dialogue on Drug Policy in Southeast Europe (SEE) was held on 10 and 11 October 2014 in Athens, Greece. Its 32 participants included representatives of NGOs, academics, delegates of policy-making agencies and professionals in the field of drugs from Albania, Bosnia & Herzegovina, Croatia, Former Yugoslav Republic Of Macedonia, Greece, Montenegro, Romania, Serbia and Slovenia.

The Dialogue included three (3) sections that dealt with the following individual issues: a) recent developments in drug policy in SEE countries, b) research findings as to the sanctions imposed on drug offenders, the legislative policy, and the litigation practice in SEE countries, c) the shift from a punitive attitude to a human rights and public health oriented approach, d) the cooperation between law enforcement and public health services in addressing drug-related concerns, e) Reflections on the challenge to shift the focus of interventions from repression towards a human rights and public health approach. (f) Conditions to be fulfilled for a successful implementation of this shift, obstacles to overcome and utilization of the opportunities to achieve this policy g) the collaboration between competent government authorities and Civil Society, specifically regarding the Action Plan on Drugs drafted by the EU and the Western Balkans, and h) the headway towards the 2016 Special Session of the UN General Assembly on Drugs (UNGASS on drugs), its preparation and central agenda.

D. Project Drug law Reform in South East Europe

In the first months of 2014 all country reports of the project "Sentencing of Drug Offenders, the Legislators Policy and the Practice of the Courts in South Eastern Europe" have been finalised as well as the general report of the project.

According to the analysis of the research, in most SEE countries drug users comprise a significant percentage of convicts. Most are prosecuted and convicted for illegal drug manufacturing and dealing. Additionally, the vast majority of drug manufacturers or cultivators are dependent individuals who grow cannabis for own consumption or otherwise manufacture drugs for personal use.

The research also revealed that juridical punitive policies in SEE countries vary, and do not generally adhere to the respective legislative provisions and amendments. Apart from courts limiting themselves to a 30% of the penalty range or tending to “breach” the minimum threshold via mitigation, this interesting correlation is proven when examining sanctioning trends following critical legislative reforms. Although limited, the research sample showed that regardless of sanctions being decreased or increased by law, courts tend to not follow through. According to the -more or less- anticipated findings, the vast majority of offenders are male, with Romania differentiating: according to the surveyed sample of court decisions, 24% of perpetrators were female. As to the age of offenders, most are between 20 and 30, followed by those between 30 and 40 (32.4%). Therefore, drug offenses are committed by individuals of the most criminally active age groups, as they require the energy and planning most commonly associated therein. For the large part -and with the exception of Romania- offenders have a high school degree, are unemployed, single, and childless.

The research analysis demonstrates that there is a substantial discrepancy between the legislative and court punishing policy of drug offenders in the SEE region. While legislative measures to suppress drug abuse have primarily been oriented towards punitive criminal sanctions, the court practice shows that drug offenders are primarily seen as persons in need of treatment whose criminal behaviour is caused by specific criminological factors.

E. The Drug Policy Network in South East Europe

Due to the limited budget for 2014 it was not possible to visit countries in the region of SEE. The contacts with the members of the Network have continued especially through their participation at the seminar in Sofia as well as the regional Informal Dialogue in Athens. The major development that is significant for the future of the Drug Policy Network in SEE has been the submission of the application “Strengthening NGO capacity and promoting public health and human rights oriented drug policy in South Eastern Europe” to the European Commission. Diogenis Association is the applicant and four member organizations [Aktion Plus, (Albania); Association Margina (Bosnia and Herzegovina); Association Prevent (Serbia) and NGO 4life (Montenegro)] are co-applicants. Associated partners are NGO Viktorija (Bosnia and Herzegovina) and Youth Organisations for Drug Action (Poland). The application has been approved. We are thankful for the support we got from the Open Society Foundations. We appreciate very much the willingness to co-finance this project. The idea is to establish an organisation with a legal status, that will be the continuation of the current Drug policy Network. Diogenis is open to an eventual change of its organisational structure provided that this will be a more adequate form to further develop the regional co-operation of NGOs in South Eastern Europe.

F. NGO Platform in Greece

Six non-governmental organisations in Greece working in the area of Harm reduction and HIV prevention are since 2013 working together in a network, with the aim to strengthen advocacy work, participate in public consultations regarding drug policy, human rights and the maintenance and further development of services to people who live with HIV. The co-

operating organisations develop joint activities where possible and necessary. The following organisations are part of the Platform: Positive Voice, PRAKSIS, Centre for Life, Promitheas, the Drug and substitute users Union and Diogenis Association. In 2014 the following meetings of the NGO platform took place: 27/01/2014, 29/04/2014, 16/10/2014. The items discussed in these meetings were: developments in Drug Policy in Greece, Europe and worldwide, agreements concerning joint activities (mostly agreements on actions to be undertaken). One of the main issues that has been discussed extensively was the New Strategy on Drugs and the Drugs action Plan (2014-2016). The platform undertook with success, joint action asking for a public consultation on the New Drug Strategy and the Action Plan. The initial reaction of the National Drug Co-ordinator, was not positive. The argument was that the law does not foresee in the involvement of NGOs by the formulation of the Drug Strategy. Support from press and mass media and an additional letter of the Platform to the prime minister resulted in the decision to present the draft strategy and the action plan on drugs for public consultation. The Platform organisations submitted a joint statement with comments and proposals and the Diogenis Association presented an additional reaction with specific issues like the Greek involvement in the International debate on drug policy and the co-operation of Greece in the Balkan region and the Mediterranean.

The other action of the Platform in 2014 was a strong protest against the closing of the supervised consumption room for intravenous drug users. The Consumption room was established. The reactions of the NGOs and other institutions in Greece resulted in the submission by the Government of an amendment in the drug law to allow Drug Consumption Rooms under strict regulation. The amendment passed the parliamentary commission and was ready for the plenary vote, but some two hours before the vote the minister of health intervened and changed the amendment. The new amendment is one long sentence without any reference to the establishment of supervised consumption. It refers to the closed consumption room as a legitimate service provider from the moment of its establishment up to the moment that this amendment is published.

G. Other contacts with institutions and organisations working in the field of drugs.

1. IDPC Consultation/Hearing European parliament (5 March 2014)

On invitation of IDPC, Diogenis participated at a consultation with Ruth Dreifuss, of the Global Commission on Drug Policy in Brussels. The discussion was about the efforts to promote the proposals of the Global Commission in the European context. The same day Diogenis participated at a public hearing in the European Parliament organised by the Euro-parliamentarian Nikos Chrysogelos (Greece) of the Green Party.

2. The 57th CND 11-21 March 2014

Diogenis participated at the 57th session of the Commission on Narcotic Drugs. Thanasis Apostolou was one of the chairpersons of the Civil Society Hearing organised by the Vienna NGO Committee (VNGOC).

The 57th Session of the UN Commission on Narcotic Drugs held in Vienna from 13 to 21 March 2014, gave an opportunity to Member States, international organizations and civil society organizations to exchange views and to evaluate the efforts to effectively implement the political declaration and plan of action of 2009.

The session started on March 13 with the informal meeting of Ministers, High Level Representatives of the UN member states and representatives of organizations of civil society . The Queen of Sweden, Honorary Chairperson of the NGO Mentor expressed her appreciation for the organization of the open dialogue between Member States and civil society. It has been an opportunity to hear opinions from all sides and to discuss possibilities for cooperation and common progress of Member States and non-governmental organizations . The findings of a civil society public hearing which has been organised the previous day (12/3) have been presented in the first high-level meeting . At the same meeting, the conclusions of the panel of scientists who also met on 12/3 have been presented and young people from different countries of the world expressed their views about the future drug policy.

The member states presented subsequently in the plenary their views on the policy pursued in relation to drugs . The speeches of the states representatives revealed that there was a difference, compared to the past, in the attitude of most countries concerning the effectiveness of the existing drug policy. It has been stressed that the future drug policy should focus on protecting the health of people , take due account of the fundamental human rights as agreed in the UN conventions, approach drug users not as criminals but as people who need assistance especially when they are dependent to addictive substances and pay special attention to prevention by promoting choices that contribute to human health.

Member states are not unanimous on all issues relating to drugs. The 57th session was dominated by negotiations around the issue of harm reduction , the death penalty for violations of Drug laws , the reform of the international drug control treaties and the process towards the Special General Assembly on Drugs in 2016 .

On these issues no consensus has been reached, despite intensive and lengthy negotiations .

3. The Greek National Drug Coordinator

On 11 June 2014 we visited the office of the Greek National Drug Coordinator in Athens and had an extensive discussion with the National Drug Coordinator. Main issue of the discussion was the New Strategy on Drugs and the Drug Action Plan 2014-2016. We asked special attention for the involvement of the Non Governmental Organisations by shaping the new strategy which has been followed by a letter of the organisations of the NGO Platform to the National coordinator, requiring a public consultation about the Strategy. The other point that we referred to was the status of the Supervised drug Consumption Room in Athens. The National Coordinator expressed her concerns about the legitimacy of the Centre. She was not in favour of the operation of the site as long as there was no legislation on the issue. We stated that since the site is already functioning it is good to have first an evaluation of the practice and the effectiveness of the centre, before taking any decision. The evaluation can lead to legislation, which is necessary for the continuity of the initiative. Some time later the site has been closed. At the end of 2014 a the deputy minister of health submitted an amendment which was positive for the re-opening oof the site, but at the last moment before the vote the Minister of health intervned and the amendment has been replaced with a wage text that does not regulate the operation of the Centre. The centre is at the moment closed and the staff of the centre is dismissed. We shall get back to this issue and ask the new Government for a proper regulation.

The national Coordinator has been asked to co-host the Informal Drug Policy Dialogue in SEE that would b e organized in October 2014. She accepted this proposal and was present in our Dialogue in October 2014

4. The Greek Platform for development

On June 13th Diogenis participated at the International Conference "Synergies between state and civil society organisations" organised by the "Development and Democracy Program" of the "Greek Platform for development" in Zappeion, Athens. The conference was an exchange of experiences of projects that have been implemented on various sectors during the last decade. Main issue of the discussion was the concern of NGOs about their relation to the Greek state. There is much uncertainty among the NGOs due to lack of a clear position from the part of the state. The public discussion on NGOs in Greece is rather negative and that needs to be corrected in order to gain confidence and continue with a consistent implementation of activities. The Conference has been a good opportunity for Diogenis to get in contact with other Greek NGOs and listen to the exchange of ideas about the relevant public discussion on the relation between State and Civil society initiatives.

5. Civil society forum and working group UNGASS

Diogenis is member of the Civil Society Forum of the European Commission. In 2014 Diogenis participated in the Working Group dealing with the preparations of the UNGASS 2016. The working group had the task to be in consultation with the Horizontal Drugs Group of the European Council and try to gain support for the ideas of European NGOs which could be incorporated in the EU contribution during the preparation of the UNGASS and the negotiations in Vienna and New York.

The working group has written several statements which in the end had their effect. The Italian presidency has adopted several of the proposals of the Civil Society Forum and included them in the EU statement that was presented during the re-convened CND beginning of December 2014. Diogenis would like to continue its participation in the civil society forum of the European Commission

6. Consultative status of ECOSOC

Diogenis has acquired in 2014 the consultative status of ECOSOC. In its capacity of consultative member of ECOSOC, Diogenis has reacted on the proposals of the Chair of the CND about the organisation and the content of the UNGASS 2016.

H. Media, Publications

1. Website

The Diogenis website has continued reporting 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))

2. Briefing Paper

Diogenis has published its 5th Briefing Paper on "Cooperation between drug law enforcement, health, and social services in South Eastern Europe". The paper describes the shift in drug policy, during the last decade, from repression to protection of public health and respect for human rights. An important development is the recognition by more and more countries in

the world that the current system of drug control, where law enforcement and repressive measures is the main feature of the policies, does not meet the requirements of our time and did not bring the expected results. The shift observed is supported by service providers, but also by police authorities who have initiated cooperation initiatives with public health and social care. The paper outlines police initiatives in Europe and Latin America and states that the contacts between police authorities and social services in South Eastern Europe are inadequate, and collaboration is problematic. It is necessary to start a serious dialogue about the treatment of drug users by the police. Service providers and drug users organizations express in the paper heavy criticism on the behavior of the police towards drug users, refer to examples of human rights violations and make recommendations to address them.

3. Reports

The following reports have been published:

- a. Report of the expert seminar, 5 June 2014, Sofia, Bulgaria (in English and Greek)
- b. Report of the Informal Drug policy Dialogue, 11 and 12 October 2014, Athens, Greece (in English and Greek)

I. Project outcomes

-The regional drug policy dialogue is a recurring annual event necessary for the exchange of views and experiences on strategic issues concerning drug policy reform. It functions as a platform for Policy makers, experts and practitioners to exchange views and experiences and inform each other about developments in the countries of the region and the European and global drug policy developments. The issue of collaboration between law enforcement, service providers and NGOs has been a good start for the development of a programme that will promote a different attitude of the police towards drug users and a common understanding on a policy that is based on respect of human rights and improvement of public health. This policy line will continue in the coming years.

-The project "Strengthening NGO capacity and promoting public health and human rights oriented drug policy in South Eastern Europe" which Diogenis will implement in 2015 in cooperation with the NGOs, Aktion plus, Margina, Prevent and NGO 4life 2015 is a significant positive development. The project activities in 2015 will further improve and strengthen the cooperation among the NGOs. The advocacy work will be more consistent and the presence of the NGOs in Drug Policy development in the SEE countries will be more prominent. The Drug Law reform project will continue to follow legislative reform proposals in the countries, suggesting amendments and policy changes.

G. Evaluation

The promotion and support of Diogenis to build up contacts with policy makers, Ngo's and the Academic community in the SEE region is rewarded by the commitment of the European Commission to support financially this project and thus guarantee its continuity and its further development. We are confident that the next steps will be successful and hope to continue the good relationship with the Open Society Foundations. The worries we have expressed in our evaluation of 2013 about the financial resources remain, but we are working hard to create a more stable financial basis. The new staff members are a promise that things will move in a positive direction in the next years.

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