

Comparison of Drug Laws and Practices

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Global Drug context

**Laws not effective
in drug war**



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An estimated 316 million people aged 15-64 used a drug (excluding alcohol and tobacco) in 2023, an increase of over 20% since 2013



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The global median prevalence of HIV among people who inject drugs is 5.0%, ranging from 0% to 32% (47 reporting countries), higher than the prevalence of 0.7% among the total global adult population aged 15–49 years.



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Reasons why the punitive laws have to change

- 1. Comparison of laws to show international best practices
- 2. Case studies of successful international practices
- 3. Comparison of international drug law on HIV prevalence amongst drug users

International case study:

Portugal:

- Portugal is the first EU country to decriminalize all drugs and people are not going to prison for possession, using or selling drugs. Instead of prison terms, drug users are treated as patients. The impact is that annual seizures of 14,000 people have gone down to 6,000. It has shifted from the heroin epidemic to the lowest drug abuse rate in the European Union.

Regulation:

- When a person is found with possession of a small amount, summons are issued. The drugs were confiscated and the person was questioned by, "**Commission for the Dissuasion of Drug Addiction**", which comprises a social worker, a psychiatrist and an attorney.
- The committees have powers to rule on the drug use offenses as followed;
- Fines between € 25 to € 150 based on the Portuguese minimum wage of € 485(Banco de Portugal, 2001)
- Suspension of licensed profession (e.g. medical doctor, driver)
- Not allowing to visit certain places (e.g. clubs)
- Not allowing to affiliate with certain people
- Not allowing to travel abroad
- Regular reporting to the committees
- Not allowing to handle a fire arm
- Confiscation of personal possession
- Stopping public allowances or subsidies
- **The committee has no authority for sending a person to treatment and if the offender did not want to go to the treatment, the offender has other choices of community services or a fine.**

International case study: Impacts of Portugal's model for implementing exemption drug law

- New HIV infections among drug users were decreased to 17% and 90% drop in drug related HIV infections
- Decreased in number of deaths from drugs.
- Adolescents 13-15 years and problematic drug users decreased.
- Less work load on criminal justice system on drug crimes
- The price of the illicit drugs went down on the streets

International case study:

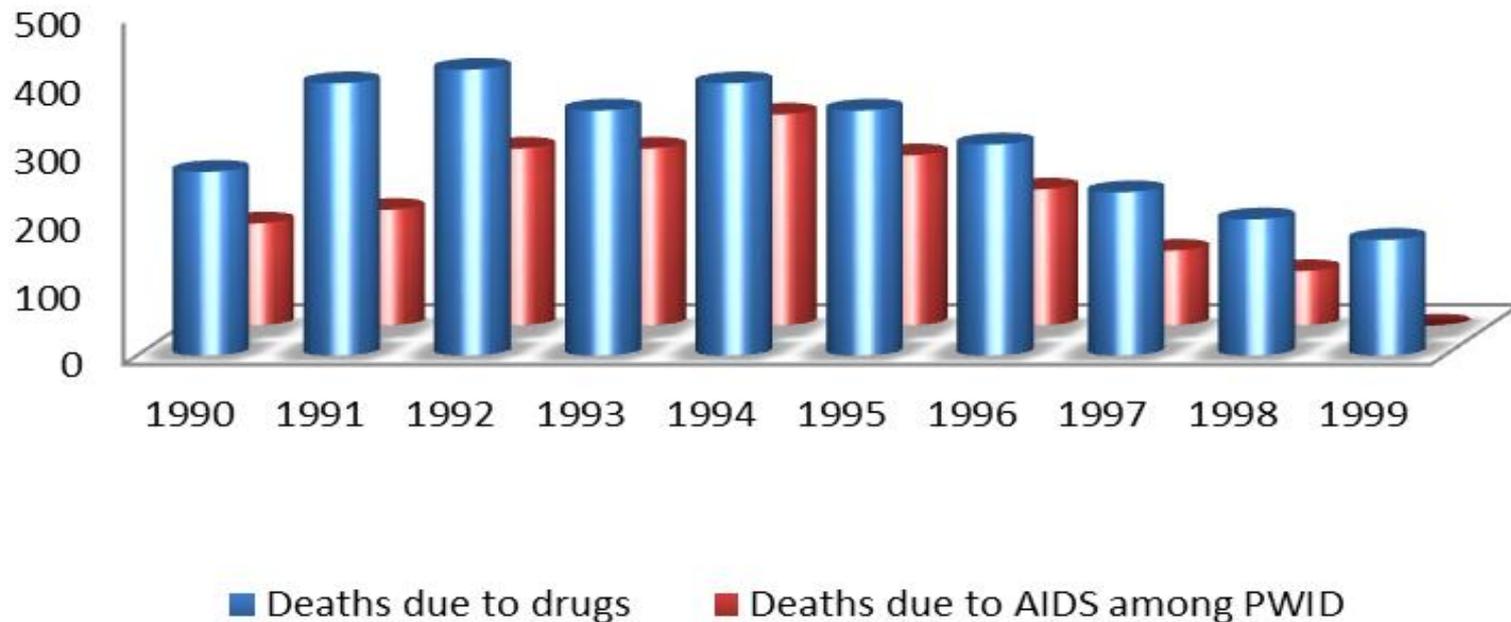
Switzerland:

Regulations:

- Since the 1980s, when there was an HIV/AIDS epidemic in Switzerland, they helped the drug users with needles exchange, offering housing, jobs, opioid substitution treatment and even supervised injection rooms for drug users. The effect was HIV infection was reduced by 50 percent in 10 years.

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International Best Practice: Switzerland model for Opioid Agonist Therapy



Continued Switzerland's success:

- Drop in illegal heroin and illegal cocaine use
- By making it legal and providing free, it became less attractive and reduced in number of new users.
- In national referendum in 2008, the program had become permanent by the votes of Swiss Public.

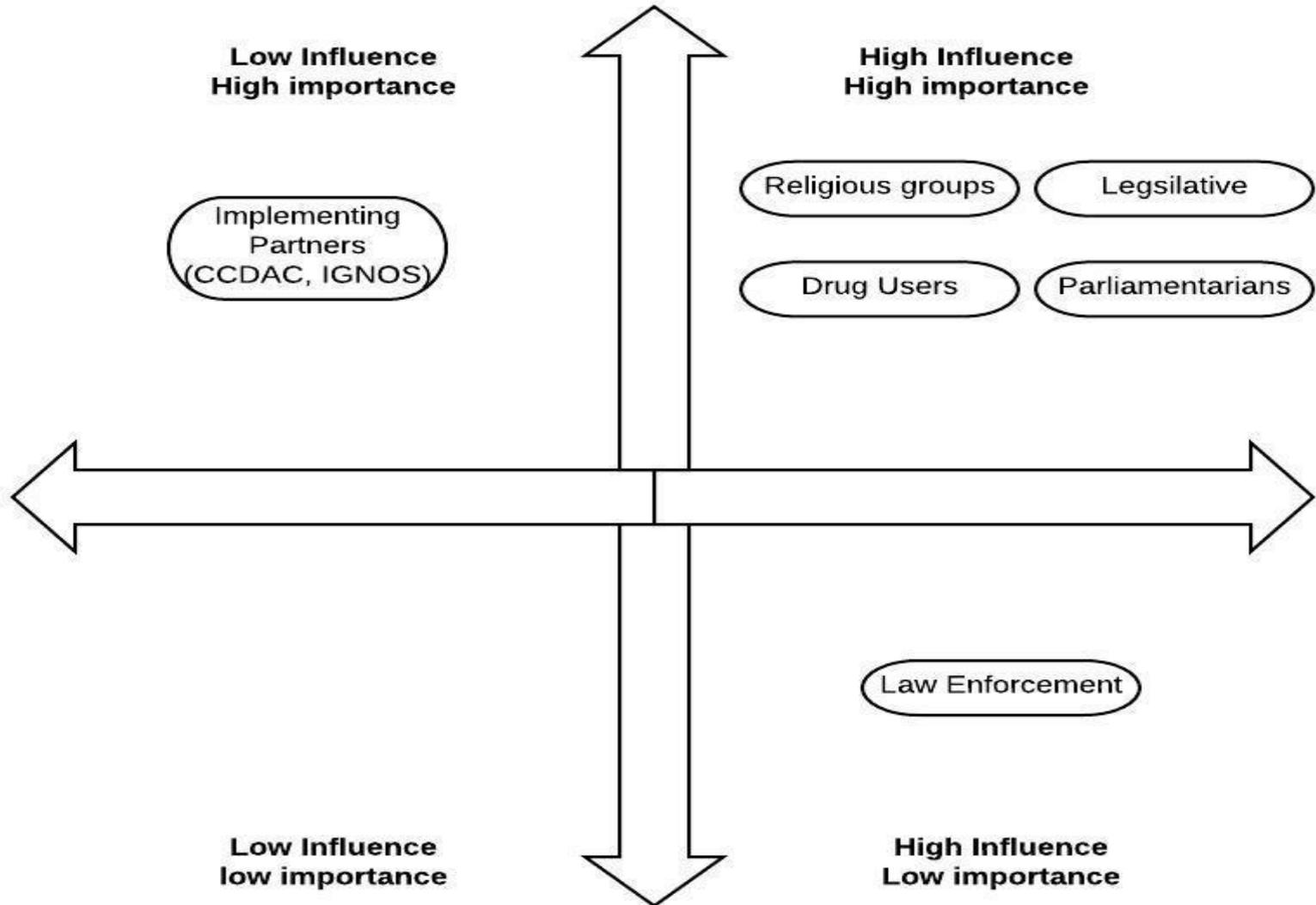
Comparison of HIV status amongst drug users internationally

	Myanmar	Portugal	Switzerland	Report Findings
HIV status	<p>In 2004, it was 24.3%, in 2018, it is 34.9%. Myanmar snapshot of the HIV epidemic. UNAIDS. 2018</p>	<p>New HIV infections among drug users were decreased to 17% and 90% drop in drug related HIV infections.</p>	<p>Death due to AIDS reduced from 200 to 0 during 1990 to 1999.</p>	<p>It is also found out that 35% of the survey participants are already infected with blood borne diseases.</p>

Report findings

- 1. MRR RESEARCH METHODOLOGY: Data collection was done by focusing to find out the ineffectiveness of current drug laws and:
 - To find out the opportunities to make a change, i.e. exemption of personal usage amount.
 - The reasons why the community and policy makers did not accept the exemption.
- 2. MRR RESEARCH
 - Stakeholder Matrix/ Stakeholder identification
 - In depth interviews with drug users
 - FGD with religious groups
 - Key information interview with parliament member

Stakeholder matrix



Identification of Key Stakeholders & Their stands on the law

The religious leaders/ groups

They are against the exemption with the thought of possible increased in drug use and dealing. They are the influencers to the community.

The parliamentarians

NLD parliamentarians occupied the majority of seats in the both upper and lower houses and they are the influencers on the legislation process.

The drug users

The drug users can represent as supportive group for exemption. Due to their capacity, they need to voice out more in the public consultations.

Drug users: support for exemption

- ❑ 43% of the participants had a history of being arrested by possession of personal usage.
- ❑ This is also found out that 12 out of 17 drug users who were imprisoned did not receive treatment for whatsoever. That is 71% of total imprisoned
- ❑ 33 % of participants, 10 drug users were already infected with 7 HIV,1 HCV 2 HBV.

Religious leaders: afraid of consequences of exemption

- ❑ 58%) of the accepted the exemption on possession of personal usage and 10(41%) of them did not accept.
- ❑ The reason is that they are afraid of increase drug use and possible drug dealings.
- ❑ Highly influential because they represent the majority of the people in those areas

Parliamentarian:

Neutral on exemption, willing to cooperate if public supports exemption

- Recognizes that the drug problem is growing and the prison population is now four fold more than its capacity
- Exemption is politically sensitive and the party may lose votes
- It should be less amount but that is depending on the voters

Key messages for Different Stakeholders- Religious Groups (Opposition)

- Drug use is increased by the punitive laws by providing example of United States' war on drugs and Portugal exemption act.
- Exemption helps the country and drug users with examples from Portugal.
- New laws are not effective and has to amend in order to be more efficient of other new laws for treatment.
- The amount can be adjusted to minimal daily use which cannot create dealing as expected with examples of Portugal and Switzerland.
- Final message is that community participation is essential in tackling drug problems.

Thank You for the time!
Or Kun Chren!