

To the Georgian President, Parliament, Government and the General Prosecutor

Address of the participants of the I National Conference On The Reduction of Drug Related Harm (May 21-22, 2007, Tbilisi Georgia).

During conference the participants reviewed the current situation concerning drug use, prevention and treatment of HIV/AIDS and viral Hepatitis; after discussing the effectiveness of legislation about the above mentioned spheres and issues concerning human rights, we would like to present our ideas and views:

- we consider that the existing drug legislation is ineffective and does not reduce the drug use;
- we consider that criminal responsibility for drug use should be reviewed towards more liberal approach;
- we think that the situation can't be improved by establishing high administrative penalties for drug users or by massive drug testing.
- we are truly concerned about insufficiency of programmes of drug treatment and reduction of drug related harm in Georgian prisons.

Our positions are strengthened by the following arguments:

Qualifying drug use as criminal offence is resistant to the Georgian Law on "**Drugs, Psychotropic Substances, Precursors and Narcological Aid**" (6 paragraph of the 2nd article). According this article, drug dependency is a disease, which is characterized by increasing, invincible desire to use drugs because of strong physical and psychological dependency towards them.

Massive testing of the population violates the 3rd and 8th articles of the **European Convention on Human Rights and Fundamental Freedoms** ratified by the Georgian Government, as well as the 8th paragraph of the 42nd article of the **Georgian Constitution**.

The existing legislation violates every human's right about public health, acknowledged by the 37th article of the **Georgian Constitution** and 3), 4) paragraphs of the 4th article of the **Georgian Law about "Health Care"**. The existing legislation is an obstacle on the way towards drug users treatment, HIV/AIDS prevention and implementation of relevant social or health programmes. Persecution of drug users, especially in the circumstances when the government can't offer chronically diseased people etiquette and available treatment, violates the 12th article of the **International Covenant on Economic, Social and Cultural Rights** about health right. It is noticeable that strict punishable methods did not reduce the number of drug users in any country. Such attitude only causes violation of rights, discrimination and deepens the social injustice among large part of the society.

Considering all the above mentioned, we suggest:

- that the efforts of the law enforcements be directed not towards massive persecution of the drug users, but towards effective struggle concerning organized drug crime;
- increase financing treatment of drug dependents, support implementation of effective methods of treatment and enlarge existing programmes recommended by the WHO and other international organizations, especially opioid substitution treatment;

- the existing drug legislation should be overviewed and essential amendments should be made taking into consideration commonly acknowledged human rights standards, including rights of drug users and HIV infected people;
- in the corresponding articles of the Criminal Code of Georgia certain amendments should be made, which would distinguish the responsibility between drug users and drug dealers. At the same time the threshold quantity of controlled drug should be overviewed and realistic quantities should be established;
- the country's policy concerning drug use and HIV/AIDS should be worked out with the participation of civil society, drug users themselves and self help groups of HIV infected people.
- special attention should be brought towards drug use and blood transmitted infectious diseases in Georgian prisons. In the places of deprivation of liberty, programmes of harm reduction, such as opioid substitution treatment, syringe exchange, etc. should be implemented.

We urge you to take all feasible measures to solve the above mentioned problems and at the same time we express our readiness to cooperate with representatives of the government, the ministry and other establishments.

All the above mentioned is agreed and signed by:

1. Union Alternative Georgia:

David Otiashvili
Marina Chavchanidze
Irma Kirtadze

2. Center of Medical, Socio-economic and Cultural Issues "Uranti":

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3. Psychosocial Information and Consultation Center "New Way":

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4. Center for protection of Constitutional Rights:

Alex Shoshikelashvili
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5. Association of Psychologists and Psychotherapists:

Sofio Verulashvili
Ekaterine Kapanadze

6. Union Step to Future:

Ketevan Bidzinashvili

7. Union Imedi
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8. Women Club Peoni:
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9. Anti-Violence Network of Georgia:
Nato Shavlakadze

10. Young Doctors and Psychologists Association „Xenon”:
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11. Victim Persons' Union After Abkhazia's Conflict “Tanadgoma”
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11. Center for Information and Medico-Psychological Counseling „Tanadgoma”
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12. Union Ordu:
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13. Union New Vector:
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14. LTD „Narcology Center”, Khelvachauri:
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16. Country Programme Coordinator, STIs/HIV/AIDS Programme, WHO Regional Office for Europe:
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17. Scientific Director of the Georgian Research Institute on Addiction (GRIA):
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19. Program Officer, IHRD, OSI NY:
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19. St. Bishop Gabriel (Kikodze) Psychological Aid Centre:
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20. International Harm Reduction Development Programme:
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21. Open Society Georgia Foundation:
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21. HIV/AIDS Patients Support Foundation:
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