

Dear Prime Minister,

The National Plan Against Drugs and Drug Addictions 2013 - 2020 was recently made available for public consultation.

This document was written by a small group of the Directorate General for Intervention on Addictive Behaviours and Dependencies (SICAD) to whom we are totally unrelated, and contains significant omissions and inaccuracies that might confuse policies' decision makers. For that reason, we find ourselves obliged to report such inaccuracies.

The National Plan Against Drugs and Drug Addictions states that "the Portuguese policy against drugs and drug addiction was the object of various national and international analysis and appointed as one example to follow."

Supporters of drug legalization refer to the decriminalization policy in Portugal as evidence of a more lenient legislation that had no negative impact on the consumption of illicit drugs.

As it will be shown, this finding is totally devoid of sustainability.

According to the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), "Portugal's drug policy — as with all other national drug policies — is unlikely to be a 'magic bullet'. The country still has high levels of problem drug use and HIV infection, and does not show specific developments in its drug situation that would clearly distinguish it from other European countries that have a different policy." (EMCDDA, *Drug Policy Profiles. Portugal. Page 24. 2011*).

Professor Jorge Quintas, states that "the impact of the law decriminalizing drug use in Portugal, confirms the results of other decriminalizing experiments: it has little or no effect whatsoever on drug use or addiction and does not interfere with the evolution of consumption indicators". (*Jorge Quintas – Escola de Criminologia da Faculdade de Direito da Universidade do Porto, Análise da experiência portuguesa da descriminalização do consumo de drogas, Assembleia da República "Grupo de Trabalho Toxicodependência e Álcool" da Comissão de Saúde 26.03.2013*).

"Considering the analysis on the two most differing sources of information, we may conclude that the Portuguese reform does not praise nor condemns the proclaimed "resounding success" or "startling failure" . . . (Caitlin Elizabeth Hughes & Alex Stevens, "A resounding or a disastrous failure: Re-examining the interpretation of evidence on the Portuguese decriminalisation of illicit drugs", *Drug and Alcohol Review (January 2012), 31, 101-113*).

The Portuguese policy on drug decriminalization, based on the way it was implemented, fell into liberalizing extremisms and, consequently, sent mixed messages to young people and their families.

The greatest example of that confusion is the growth of *smartshops* which led thousands of young people to believe that if these stores were opened it was because the sold psychoactive substances were harmless.

According to the 2011 Eurobarometer, 5,8% of young Portuguese people from the ages of 15 to 24 have consumed these kind of substances, the eighth higher level of the European Union where the average is set at 5 %.

The alert was triggered in 2012, when within a few months, several EU Member states, including Portugal, reported hundreds of cases of severe complications or death related to the use of substances, considered legal, acquired, in most cases in these *smartshops*.

These cases showed the inability of the current legislation to respond effectively, to a phenomenon characterized by rapid onset of new substances unknown, until very recently, to the existing legal framework made available through these shops. It has recently become the major public health problem in the area of current drugs, worldwide. (*World Drug Report 2013*).

Fortunately the Decree-Law nº 54/2013 of the 17th of April has finally put an end to this by banning (and not adjusting as stated in the National Plan) the production, import, export, publication, distribution, sale, possession or delivery of new psychoactive substances in Portuguese *smartshops*.

Today, the European Commission (following the example of the Portuguese government?) is working on measures to sustain the prohibition to sell these "new psychoactive substances" to allow countries, other than Portugal, to forbid these products in markets, within a few weeks.

To promote policies that accept, encourage or foment any use or abuse of drugs or its dependency is a severe and disquieting violation of human rights and individual dignity.

Also, the National Plan refers at one point: "... It is important to develop policies to delay the age of first consumption, with reference to the determinant factors of this process for the identification of target groups at higher risk."

In other words, the National Plan, abiding by its liberalizing tendencies misaligned from the International Conventions to which Portugal is a signatory, refers to the inevitability of drug use and, consequently, as only solution the delay of its beginning.

In other words, the authors of the document agree that it is impossible to prevent and avoid the first use of drugs for a teenager living in Portugal ...

To support and allow that the population remains chemically or psychologically attached or dependent to drugs is not only illegal but, mostly, it is inhuman.

Portugal urgently needs a new policy to fight drugs and drug addiction that encourages youth to make healthy life choices underlining the importance of abstinence or disambiguation to clearly say no to drugs.

The exact opposite appears in this new plan promoting and normalizing the agreed consumption, unnecessarily burdening the scarce enough community resources.

Portugal needs a policy that allows national resources to be used constructively and not as a remedy.

It is therefore crucial to convey a clear message that drug use is neither normal nor inevitable and that under no circumstances should young people accommodate to them.

Otherwise, by focusing on reducing damage caused by drugs rather than by providing treatment, enhances the message "take drugs if you wish because if there is a problem we are here to help reduce the damage they cause."

The current government strategy undergoes on the unaccountability of consumers.

This is a dangerous option.

The public money is diverted so immoral, and even amorally, from its purpose because while drug users are exempted from payment of syringes, needles, tourniquets and user fees, the elderly, the poor and the excluded from a promised eternal prosperity have not such luck.

With this policy, the portuguese government is pushing thousands of citizens to alienation, slavery and death.

It is a criminal policy.

Being totally contrary to the decriminalization of drug use and harm reduction strategies, including the use of substitute drugs over the use of priority strategies for prevention and treatment, as referred in International Conventions and again proposed by the United Nations, it is not understandable for a country to continue stubbornly defining a policy contrary to UN recommendations, focusing on harm reduction in their plan to fight drugs.

Portugal may not surrender on drug issues.

It is a serious problem requiring serious concrete answers.

The flag "to reduce damage" should not become an ideology or a mean of its own.

It is very disturbing to promote the correct "safe" use of drugs and by integrating consumer habits of around 70% of Portuguese drug users in programs when these programs that are called treatment, replace one drug for another rather than being a drug-free programs as it would be appropriated.

Pursuing with this policy, the State subjects countless drug users to a poor existence of dependence.

Drugs are damaging to consumers and it influences direct or indirectly the increase of insecurity.

How is it admissible for the Director General for Intervention on Addictive Behaviours and Dependencies to consider that the "message that drugs kill is outdated"? (JN 10/09/07)

The statement is all the more irresponsible as it is a dead letter to universal law and an inalienable right of any individual to have a life that is not molested by drugs and to be protected from their drug trafficking, as it is clearly expressed in the Universal Declaration of Human Rights.

The Director still finds inspiration to state that "the heroic attempts to stop heroin addiction in some cases give results, but in most cases do not. As a diabetic needs insulin, there are those who need an opiate. Hence the ITD prefers to keep users in programs rather than to make a fuss on the discontinuity of these treatments. (*Diário de Notícias, João Goulão, "Many cling onto methadone forever" 02/23/09*).

Such statement is damagingly untrue.

In the words of the former UN Secretary General, Kofi Annan, "one of the most threatening misconceptions about drug use, is that it is a problem that has to last a lifetime. The truth is that treatment for drug abuse may have positive results and can restore the values and dignity of the person's life. " (*United Nations, International Day Against Drug Abuse and Illicit Trafficking, New York, 06/26/08*)

Our politicians should acknowledge that treatment is a very effective way of blocking not only sanitary and social consequences of drug abuse, but also to reduce the costs associated with medical care and social welfare, as well as interventions related to crime and justice.

That is why our goal is to promote a society free of drug abuse on national, regional and international strategies. It is our determination to take effective measures to emphasize and facilitate healthy, productive and satisfying alternatives to illicit drugs, which should not be tolerated as a lifestyle.

It is our aim to put an end to studies whose conclusion is: "Four in ten students reported having used cannabis at least once in their lives" – as recently published in *Público* 09/25/13.

The study (published on the same day (09/25/13) in *Público*) was conducted among more than three thousand students from the University of Lisbon. The results are clear and largely demonstrate the harm done to our youth with the decriminalization policies carried out in Portugal.

For example, over 25% of students surveyed in this study called "Consumption and Lifestyles of Higher Education students" - consider it "little" to "not harmful" to smoke marijuana from time to time.

Similarly, 17.1% do not see much harm in taking non-prescription drugs and 15.2% agree that driving after drinking three beers is "little" to "not harmful".

As for the use of illicit substances, 40% of students confirm to have tried cannabis at least once in their lives.

When speaking of *smart drugs use*, the positive answers drop to 5,4%.

The numbers rise back to 26% when asked if there was ever the ingestion of alcohol mixed with energy drinks.

As for current use, meaning in the 30 days prior to this survey, 11,3% confirmed the use of cannabis and 6,5% mixed alcohol with energy drinks.

In regards to alcohol, consumption was admitted by 72.6% of respondents. 37% of students have confirmed to have consumed five or more cups (for women) and six or more cups (in the case of men) at the same time.

This is called binge drinking, and it can be explained as something like an episodic ingestion of a large quantity of alcohol to achieve intoxication.

Thus the published article in *Expresso*, (09/27/13), called "Indiscipline grows in higher education", refers the same study we have just outlined, pointing out that "26 % of the students cannot focus"; "cases of indiscipline that have become common in primary and secondary schools have now hit universities"; "teachers complain more and more about the attitude of young people saying they get more immature to higher education"; "in the University of Oporto there were eleven cases filed since 2008 against students for disciplinary "misbehavior or violence"; at the Instituto Politécnico de Bragança "there is an increasing edginess, especially among young people" as pointed out by its president, "there is a growing indiscipline and the situation becomes unequivocally explosive . I know several teachers have left the school because it was impossible to continue there with noise and disturbances", as reported by a college professor from ISCTE; "I notice an increasing disturbance in classes from year to year. Sometimes we have to ground students as if they were 14 year old kids " , concludes a University professor and New Investigator of the Champalimaud Foundation .

These are undoubtedly truly scary results. These results require action from the Government to review its entire plan.

More than that, the results should force the Government to reverse, once and for all, the liberal policy in regard to consumption, which ultimately shames us as people and as a nation.

Is abstinence possible, we may ask ?

According to the EMCDDA "Evaluations of drug-free treatment interventions have shown that it is effective. Evaluation results fluctuate, but generally 30 to 50 % of clients entering drug-free treatment complete it successfully." (Gossop *et al.* (2001). *EMCDDA. 2002 Annual report on the state of the drugs problem in the European Union and Norway. 2002, December, 3.*)

Also, the global action plan against drugs approved by the UN Commission on Narcotic Drugs (UNCND) released on March 13th 2009 in Vienna is peremptory: "We reaffirm our determination to fight drugs as a worldwide problem within our national, regional and international strategies, in line with the aim to promote a society free from drugs; and to take effective measures to emphasize and facilitate healthy, productive and satisfying alternatives to illicit drugs, which should not be tolerated as a lifestyle." (paragraph 22).

The question we need to ask is: are the rights and interests of Portuguese drug users being well served by a law, that advocates and supports, with our tax money, continued drug abuse and dependence, by maintaining the politically rewarding illusion of immediate effectiveness, when knowing that there is another solution?

What about the State?

Does accepting to put a significant fringe of society in a state of ultimate defeat by withdrawing its legitimate hope and growth capacity does not divert their habits to a path of slavery ?

Is this the State that represents us?

Is this the State that deserves to be considered as an ethical institution?

With the total lack of political interest to eradicate this phenomenon, would it not be a waste of time and a complete incongruity to keep fighting to avoid our youth to be tempted by drugs?

We need answers urgently.

Unlike Portugal, which looks at strategies of harm reduction with the use of methadone for long periods of time, Sweden has long adopted a restrictive policy towards a drug-free society, with the support of all political forces in parliament, from right to left.

The Lisbon Declaration, signed in 1992, firmly states that "any drug addiction should be considered as a temporary situation. Its treatment should aim to a full recovery to a free and responsible living and not perpetuate the dependency or institutionalization of drug addicts." (*Serviço de Prevenção e Tratamento da Toxicodependência (SPTT) (1992).II Congresso Internacional, V Encontro das Taipas: Declaração de Lisboa. Boletim Informativo, 5 (Junho-Novembro), 6.*)

However, the National Plan presented for public discussion is contrary to the idea signed the Lisbon Declaration, which may only be explained in light of the rampant liberalizing policies on this subject.

Never in the world had we been so far and so wrong.

At the most it could be suggested a time limited stay in substitution programs, and brochures on the risks of methadone, buprenorphine, etc., should be developed.

We advocate for a program of definitive treatment. As did the first president of the former IDT, Fernando Negrão, who said that "treatment is better than harm reduction, harm reduction is better than nothing."

We have learned in our many years following drug dependents that where there are drugs, there is no education.

The government should avoid drug trafficking and crimes related to drugs to hit poor and deprived neighborhoods all over the country before these same neighborhoods are provided with proper education, (legal or illegal) drug use prevention and offenses.

This will be, undoubtedly, the best way to prevent the growth of organized crime and violence, or would it not be a social problem which increasingly acquires plurioffensive characteristics to destroy the economy, politics, justice, culture, human rights and democracy itself.

This presupposes an urgent serious social diagnosis to allow a proper cooperation between public and private organizations that could help those in difficulty to draw a realistic life plan and a path free of drugs, on the field.

To avoid even more serious consequences, we suggest to reduce doses for consumption from the current ten to three, following the example of legislation of new psychoactive substances, as well as the random screening of drug use in schools. This experiment was led with great success in the United States, Great Britain, Sweden and the Philippines, among others.

This measure, that many may consider invasive, has the advantage of being a deterrent that might promote health and safety, discouraging the use of alcohol and drugs, refer dependents to rehabilitation programs, while it may improve school performance and family support.

An intervention that supports the freedom and rights of individuals, without compromising their stability, health and well-being.

An intervention to support all efforts in order to avoid the availability and use of drugs, frontally opposing to the policies and programs such as this Plan that accepts and even promotes the use of drugs with safety, under a wicked flag of risk minimization and harm reduction.

Rudolph Giuliani, mayor of New York at the time of the attack on the twin towers, went down in history as a success story in the fight against drug-related crime, reducing it by about 58% also said: "There is no reason not to pursue the goal of a society where the greatest number of people can live drug-free. We do not want to encourage the use of methadone, sending the wrong message. Nobody wants a child free from drugs but cling onto methadone for 20 or 30 years. What you want is a program that fulfills the need and will help you get rid of the addiction". (*Giuliani, R.W. (1998). Rethinking America's Misguided Drug Policies. Archives of Rudolph Giuliani. October 22. North Carolina*).

As Kofi Annan said, "Young people need models that help them find a positive path without drugs. The eradication of drug abuse on our planet is a huge task but with the combined strengths of human organizations and the efforts of all, we can move in that direction. "

Best regards,

Yours faithfully,

Manuel Pinto Coelho, Doctor, PhD  
Carlos Fugas, Psychologist, Director of the therapeutic community "*Lugar da Manhã*"