

IDPC Membership Survey: Summary of Results

May 2017

The IDPC membership survey was shared with IDPC members in English, French and Spanish in mid-December with a deadline at the end of January. Out of IDPC's 170 member organisations, we received 63 eligible responses.¹ Responses originated from 41 countries, with a large representation from Latin America and the Caribbean (23 responses), followed by Europe (18 responses), Africa and the Middle East (13 responses), North America (8 responses), and limited responses from Asia and global NGOs (2 respectively). A summary of the responses is available below.

PERCEPTIONS OF CURRENT OR FUTURE POSITIVE/NEGATIVE DRUG POLICY REFORMS AROUND THE WORLD

POSITIVE MOVES TOWARDS DRUG POLICY REFORM

84% of the respondents reported positive moves towards drug policy reform, although only 5 respondents (from Australia, Bolivia, Spain and Zimbabwe) anticipated positive reforms in the next year. Below are some of the key reforms that were highlighted by the respondents:

Medical cannabis: Reforms were reported in the following countries: Argentina, Australia (although limited), Brazil (Parliament approved some level of medicinal cannabis), Colombia (medicinal cannabis use and cultivation for personal use now possible), Costa Rica (proposed bill on medicinal and industrial cannabis), Germany (approved medicinal cannabis, which is now prescribed within the healthcare system and reimbursed), Greece (discussions & government working group set up, but no involvement of civil society and lack of information on the process), Puerto Rico, Mexico (proposed bill allowing medicinal cannabis, importation of products with up to 1% of THC and national production in the future), USA (several medical cannabis legalisation laws passed).

Recreational cannabis reform: Reforms were reported in the following countries: Canada (regulation reform under way), Chile (a Supreme Court decision deemed unconstitutional police raids against auto-cultivation & medical cannabis), Italy (bill on cannabis regulation being debated at the Chamber of Deputies), Mexico (several bills being debated on cannabis regulation), Netherlands (amendment to Dutch Opium Law proposed to allow cannabis cultivation for recreational use under the expediency principle, Parliament expected to vote on this before the elections), Saint Lucia (formation of National Cannabis Commission to move towards cannabis regulation), South Africa (cannabis was rescheduled, but still not accessible), Spain (ongoing debate in the Catalonia Parliament on regulating cannabis social clubs), Switzerland (two cantons elaborating pilot schemes for regulated cannabis markets), USA (legal regulation in several US states).

Harm reduction: Reforms were reported in the following countries: Canada (strong focus on harm reduction, including SIFs, HAT, naloxone, etc.), Colombia (expansion of harm reduction services, including drug checking), Costa Rica (new national plan for harm reduction being drafted as public health policy), France (now access to naloxone and SIFs, 2016 review of health law to include SIFs and harm reduction in prison), Ghana (proposed bill on harm reduction), Ireland (SIF about to open), Lebanon (decriminalisation of overdoses, bill being discussed to amend current drug law, upcoming Mental Health Strategy to include

¹ 14 responses were removed from the list of responses due to duplication, and 12 were ineligible as respondents were not from the IDPC membership

statement on decriminalisation), Senegal (working group created under the drug agency to draft a national strategic plan that will include harm reduction, tolerance for harm reduction in the regions of Dakar and Thies, implementation of harm reduction services in Dakar), South Africa (Central Drug Authority position statement supporting harm reduction), Thailand (national harm reduction policy under way), UK (discussions on SIFs, HAT, and first drug checking efforts), USA (expansion of NSPs, naloxone, initial approvals of SIFs, policy changes and funding on OST with buprenorphine).

Proportionality of sentencing: Reforms were reported in the following countries: Bolivia (reform of Law 1008 under way), Canada (2016 repeal of mandatory minimum sentences for specific drug offences by Supreme Court), Canada (review of Criminal Code under way), Costa Rica (proposed bill to reduce penalties for low-level, non-violent drug offences), Italy (tough-on-drugs law from 2006 was abolished in 2014), Spain (debate in the Catalonia Parliament on more proportionate sentencing for drug offences), Thailand (drug law reform with more proportionate penalties under way), USA (some state-level sentencing reform).

Decriminalisation of drug use: Reforms were reported in the following countries: Canada (discussions for decriminalisation under way), Ghana (proposed bill on non-custodial sentences for PWUD), Greece (new law decriminalising PWUD and imposing a pecuniary sanction or community service, but not implemented in practice), Ireland (drug law reform for decriminalisation about to be adopted), Mexico (jurisprudence from the Supreme Court about decriminalisation of consumption), Montenegro (moves towards decriminalisation), South Africa (Central Drug Authority position statement supporting cannabis decriminalisation), Georgia (decriminalisation of cannabis use), UK (decriminalisation of cannabis users at local level).

Cultivation: Reforms were reported in the following countries: Bolivia (community coca control), Colombia (point 4 of the Peace Agreements on alternatives to incarceration for growers).

Gender-sensitive reforms: Reforms were reported in the following countries: Colombia (point 4 of the Peace Agreements on alternatives to incarceration for women involved in trafficking), Costa Rica (reduction of penalties for women introducing drugs in prison, alternatives to prison, inter-institutional support for women released from prison, elimination of criminal record for vulnerable female drug offenders all passed).

Involvement of affected populations in policy design/implementation: Reforms were reported in the following countries: Senegal (inclusion of PWUD in the strategic plan for 2014-2017), South Africa (consultation with PWUD ahead of National Drug Master Plan).

Access to controlled medicines: Reforms were reported in Mexico (improved access to morphine with removal of technical barriers).

NEGATIVE MOVES TOWARDS DRUG POLICY REFORM

However, 69% of the respondents also reported negative reforms taking place in their country or region – showcasing the fact that in many countries, even if positive reforms are taking place on a specific area of drug policy, repressive reforms may also happen in parallel.

A renewed 'war on drugs' discourse: This was reported in Argentina (renewed focus on the war on drugs, law enforcement, drug courts), Brazil, the USA (risks with Trump, as well as student drug testing proposals, intensive drug law enforcement, forced treatment) the Philippines and other Asian countries (harsh criminalisation, compulsory detention, lack of access to justice, drug user registration, etc.).

Renewed focus on drug law enforcement: Similarly, a renewed focus on repression and drug-law enforcement was reported in Australia, Bolivia (mostly for involvement in use and micro-trafficking and gangs), Colombia (in Bogota, renewed focus on policing, no more support for harm reduction services), Costa Rica (added presence of security and military personnel from the USA), Finland (bill introduced by Ministry of Social Affairs to use detection dogs in public events such as music festivals, right to stop and search without suspicion of criminal activity) and Mexico (bill on internal security being discussed to legalise the military's participation in public security and fight against drug trafficking).

Disproportionate sentencing: This was the case in Australia (increased penalties for ice and cannabis), Bolivia (low-threshold for drug possession, high sentences for drug offences), Brazil (bill that would increase penalties for drug trafficking), Costa Rica (criminal justice still focused on the lowest levels of the drug chain), South Africa (calls for harsher sanctions), Spain (2016 Law on citizen security is now impacting on drug offenders), Indonesia (death penalty imposed on drug offenders), Liberia (harsh sentences for PWUD).

Cannabis policy reform: Negative cannabis policies were reported in Australia (new penalty for possession of information about cannabis cultivation), Spain (Supreme Court decisions against cannabis social clubs) and the USA (attempts to delay the implementation of legalisation in some states).

Criminalisation/punishment against PWUD: This was reported in Colombia (fines for drug use added to the police code), Guyana (systematisation of pecuniary sanction on PWUD whereas it was scarcely used before) and Lithuania (re-criminalised cannabis use).

Harm reduction: Issues with harm reduction service provision were reported in: Greece (many harm reduction services now closed after HIV epidemic subsided, no budget, no political will, no legislative framework, and SIF closed down), Australia (only 1 SIF, opposition for opening others), Brazil (bill that would allow forced treatment, efforts to stop Bracos Abertos in Sao Paulo, no more federal support for harm reduction), Guyana (reductions in harm reduction funding), Italy (no more prioritisation of the drug policy issue), Mauritius (long-term MMT stopped, now focus on detox and abstinence), Montenegro (closure of harm reduction services), Central Asia (continued rejection of harm reduction in several countries), Liberia (continued resistance to harm reduction). Funding cuts were reported in Canada, Guyana, Italy, Switzerland, Netherlands and the UK.

Cultivation: Forced eradication was reported in Bolivia (cannabis eradication campaigns), Colombia (manual fumigation reactivated, forced substitution programmes) and Costa Rica (eradication of cannabis crops in indigenous territories).

Several respondents anticipated negative reforms for the coming year. In Benin, increases in drug use, violence and crime might lead to a social panic, and result in harsher penalties against drug offenders. In Chile, the reforms being proposed in Parliament have caused a strong reaction from conservative political parties, the media and certain experts, a situation that may limit the scope of any new legislation. In countries like France, the Netherlands, and Thailand, the upcoming elections were seen as possible threats to reform, depending on their outcome. And of course, in the USA the Trump administration and the Republican-controlled institutions may well revert back on progressive drug policies.

CURRENT LEVEL OF SUPPORT FOR REFORM IN THE MEDIA

The perceived level of support for reform in the media varied greatly among the participants. In some countries like Australia, Brazil, Mauritius or the UK, the media was divided between progressive messages on drug policy and more conservative views. In others, there was a lack of understanding of the issue in the media (Benin, Costa Rica, Ghana, Mexico), while others did not consider it as a priority for reporting (Greece,

Netherlands). Finally, others continued to adopt a very security-oriented view on drug policy issues (Bolivia, Colombia, South Africa, Spain, Thailand).

In some countries, media reporting on drug policy has greatly improved over the years, as was the case in Finland, France or more recently in Ghana, Senegal and Zimbabwe. One respondent from Switzerland reported strong support from the media, even those that may not be in favour of harm reduction.

Certain drug policy reform issues had better coverage than others – e.g. medicinal cannabis in Brazil or Chile, harm reduction in Canada, less repressive policies towards cannabis in Guyana and Italy, SDP campaign in Mauritius, harm reduction and cannabis regulation in the USA.

CURRENT LEVEL OF POLITICAL SUPPORT FOR REFORM

The perceived level of politicians' support for reform was deemed low by most of the respondents, with 65% of the respondents grading the level of support between 3 and 5 out of 10. No respondent graded this higher than 8/10.

Positive attitudes were mainly reported in Canada, Costa Rica, Ireland, Saint Lucia, Lebanon and Zimbabwe. In some countries, such as in Bolivia, policy makers are very supportive of some aspects of reform, particularly on coca, but highly repressive on other issues. In Costa Rica, support was very strong on issues of harm reduction and proportionality of sentencing; as was the case in Germany for cannabis and harm reduction (SIFs and drug checking). In the Netherlands, there is significant support among politicians for legal cannabis cultivation.

Positive changes took place in certain countries. For example, several left-wing parties in Australia, Chile and Finland recently declared themselves in favour of certain reforms. In Italy, a coalition of MPs was established to consider cannabis policy reform. And in Senegal political support for harm reduction has significantly improved thanks to ongoing advocacy work by civil society.

However, continued support for repressive approaches was reported in Benin, Brazil and Mauritius. Some respondents also declared that even though privately politicians might support reform, this is not translated in their public approach towards drugs, for example in Australia, Colombia, France or the USA. In others, such as Lithuania, those supportive of reform are usually lower-level politicians. Finally, a respondent from Colombia reported that the country had adopted a positive approach towards reform at global level, with very little happening nationally.

LEVEL OF CIVIL SOCIETY ENGAGEMENT IN DRUG POLICY DISCUSSIONS, DEBATES AND DECISIONS

At national level, nearly half of the respondents (30 out of 63) graded their perceived involvement in national policy making processes between 7 and 8/10 – although the impact that this involvement had on actual policies was questioned by several respondents. 15 respondents graded their perceived involvement below 5/10. The main targets of advocacy engagement were the Ministries of Justice, Foreign Affairs and Health; national drugs agencies; Parliament.

Methods of involvement with policy makers were varied, but mostly consisted in **meetings, seminars, conferences** with policy makers (26); **communications** work, reaching out to the media and conducting public debates (15); engagement and **collaboration with other NGOs** & capacity building on advocacy for civil society (11); **research**, drafting of briefings, information sharing (11); **inputs into policy decisions** (10)

and analyses and **drafting of legislative and policy proposals** (6); **technical support** and capacity building for policy makers (9) and **strategic litigation** (1).

PERCEPTION OF LEVEL OF ENGAGEMENT IN THE WORK OF IDPC & HOW TO IMPROVE IT

The respondents identified various ways in which IDPC could better support them in their work:

- **Capacity building:** mentioned by a quarter of respondents, including online courses and in other languages than English.
- **Access to funding:** for drug policy advocacy, including the idea of doing more joint bids between IDPC members.
- **Technical support for national efforts:** including facilitating the participation of IDPC speakers and experts in national dialogues, feeding into national advocacy strategies, fostering national debate on drug policy reform.
- **Networking activities:** among IDPC members to share best practices, coordinate joint actions and facilitate dialogue and activities among like-minded NGOs from different regions of the world.
- **Facilitate NGO engagement with policy makers:** at national and global levels, bringing the local issues of our member organisations to the global level, and ensuring that IDPC members were able to attend UN meetings and conferences. One respondent also mentioned IDPC's role in reaching out to the municipalities in our advocacy work.
- **Distil and share information on global developments, policy shifts and opportunities** for engagement in the debate: an area of work that should be continued and strengthened; and several respondents believed that IDPC should focus more on specific topics in this regard, including: innovative harm reduction services (stimulants), growers, treaty reform, cannabis policy reform and youth-oriented policies and programmes.
- **Engage with the media:** mentioned by a small number of respondents who stated that IDPC had a role to play in engaging with the media and supporting the network to reach out to media outlets.

USE OF THE IDPC DRUG POLICY GUIDE

65% of the respondents declared that they had used the IDPC Drug Policy Guide. Although 9 interviewees found the entirety of the Guide as useful, those sections were particularly highlighted by the respondents were the chapters on health (in particular harm reduction with one participant praising our focus on stimulants), the one on criminal justice (in particular on regulation and decriminalisation) and the chapter on policy principles. Other respondents highlighted the focus on development & violence reduction and on gender issues. Below are some of the strengths and weaknesses identified by the respondents:

Strengths	Weaknesses / suggestions for improvements
Clear, well organised, accessible language	think of a shorter version
comprehensive look in the different aspects of drug policy	sometimes too abstract, need for more practical examples and recommendations
collection and systematisation of information and evidence from across the world	some generalisations which may end up being inadequate for the realities in specific regions/ countries
good advocacy tool	need to translate the Guide into further languages
concrete recommendations	need for more practical examples and recommendations
good resources and bibliography	need to give more visibility to testimonies from those affected by drug policy

highlights innovative approaches	need for more examples from Africa
collective effort & regularly updated	need more dissemination & training on how to use it

The following topics/elements were identified as important to include in a future edition of the Guide:

- An analysis of the results of regulation in different countries
- More information on stimulant use and NPS, medicinal cannabis, drug policy and racism, drug use and violence, money laundering and corruption, the dark net, new indicators and the SDGs
- More innovative approaches and focus on their impact, including cost-effectiveness
- Explain how countries managed to overcome various legislative barriers
- An annex to the Guide featuring specific factsheets on specific countries or regions to make the Guide more relevant to specific contexts.