

Considerations Regarding the Impact on Public Health Legalization of Soft Drugs in Romania

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Abstract

This article aims to analyze the effects of decriminalization of soft drugs in Romania on the health of population, especially the young population and vulnerable groups, but also the costs of combating drug traffic and addiction treatment, which would lower considerably. In this study, we used the domestic legislation on drugs and legislative proposals for decriminalization of certain categories of drugs and tightening of legal status on illicit drug traffic and consumption. In Romania, the marketing of "light drugs" has gained momentum lately, there are about 400 markets so called "shops of dreams". Also, a substantial part of the marketing is done throughout virtual shops. The solution to prevent more serious criminal acts or to reduce the costs borne by society has sparked controversy, both among civil society and professionals in the field.

Keywords: soft drugs, legislation, public health, vulnerable groups, illicit drug consumption

Introduction

According to the World Health Organization (WHO), drug is the substance which is absorbed by a living organism, modifies one or more functions, in pharmacologically effect, the drug is a substance used in medicine or not, whose abuse is addictive and may cause serious physical and mental activity, perception and behavior disorder.

Depending on the applicable legal regime, drugs are classified into: legal drugs, which are permitted (caffeine, tobacco, alcohol, drugs) and illegal drugs, which are the subject of international conventions or national laws.

In Romania, Law 143/2000 on combating illicit drug traffics and consumption, there are defined as drugs herbal drugs or psychotropic substances or mixtures containing such plants and substances listed in Tables I - III. The same bill controls the substances classified nationally:

- high-risk drugs - drugs listed in the Tables I and II;
- risk drugs - drugs listed in the Table III.

As an alternative to conventional drugs, illegal in Romania as in other European countries also, the marketing of "soft drugs", so called legal drugs, has gained momentum lately. The so-called ethno botanical plants are marketed in "store of dreams" figuratively named "aromatherapy" or "ethno botanical". Much of the marketing is done through virtual stores; there are about 200 companies on the market and 400 stores. The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) has analyzed the most common component product lines, sold under the name of "Spice" [1]. After some research that have decoded the molecular and biochemical structure of the weeds, European researchers found that consumers have described hallucinogenic effects caused by some synthetic substances, added by manufacturers, which are called cannabinoids. The most common chemical compounds are JWH-018 [2] and CP 47, 495. These are the

cannabinoid receptors that fit on a cell and trigger the activity, generating a psychoactive effect. Substances can be up to 28 times more potent than THC, psychoactive component of cannabis. To mask the adding of synthetic chemical components, manufacturers complete the mixture with a large amount of substances that pose no risk, like vitamin E, caffeine and menthol.

Theory

In the context of Romania's EU accession, the Romanian legislation continued the process of harmonization with the communitarian acquires, by drafting and adopting legislation to improve the national legal framework for reducing both demand and drug supply.

Under Law no. 522/2004[3] and the Government Decision no. 860/2005 [4] it was issued an order of the Minister of Interior and Administrative Reform and Minister of Public Health [5] on the methodology for completion and submission of standard records: admission to treatment because of drug use, recording cases of infection with HIV, HBV and HCV among drug users and medical emergencies arising as a result of drug use. Published in May 2007, the conjoint order contains provisions concerning definitions, notification criteria (inclusion and exclusion) of cases and instructions for completing the data collection sheets in line with European standards.

After creating the legal framework, through the Emergency Ordinance no.121/2006 [6], with approved amendments by Law no. 186/2007 [7], necessary for direct application as a source of obligations with European regulations [8], National Antidrug Agency (ANA), in exercising the capacity of national authority to implement the European regulations, through specialized structure, it started the authorization process for substances classified in category 1, achievement records for transactions involving scheduled substances of category 2 and 3 with the authorization of imports and exports.

Strengthening the collaboration with other countries has become a priority for post-accession period, reflected in the ratification of treaties or international agreements:

- Law no. 214 of July 2nd, 2007 on the ratification of the Police Cooperation Convention for South East Europe, adopted in Vienna on May 5th, 2006, signed by Romania at the same time [9];
- Law no. 317 of November 13th, 2007 to ratify the Additional Protocol, signed at Bucharest on September 29th, 2006, the Letter of Understanding between the Romanian Government and the Government of the United States on drug control and law enforcement, signed in Bucharest on July 3rd, 2001 [10];
- Government Decision no. 664 of June 27th, 2007 to approve the Agreement between the Ministry of Interior and Administrative Reform in Romania and the Russian Federal Service for Control of Drug Traffic on cooperation in combating the illicit trafficking of narcotic drugs, psychotropic substances and precursors, signed at Bucharest on March 14th, 2007 [11].

Results and Discussion

According to statistics provided by the European Monitoring Centre for Drugs and Drug Addiction in 2007, Romania was below the European average on drug use, but the number of consumers was on an ascending curve. Studies showed that in 2007 the number of illegal drug users rose by 70% compared to 1999 [12].

According to a study conducted in 2008 by the Ministry of Interior and Administrative Reform and the National Anti-Drug Agency, the most consumed drugs in Romania are two substances considered soft drugs: cannabis - 1.5% and 0.4% ecstasy. The first drug appears to be a favorite of those aged 15-34 years, followed closely by a more dangerous substance, named cocaine [13].

Although the current legislation punishes the drug consumption, there are places in which ecstasy and hashish are distributed in form of aphrodisiacs or aromatherapy products. In order to analyze the major demographic and social risks faced by the Romanian population as a whole, vulnerable social segments and to identify the alternatives in reducing inequities and social risks in the context of Romania's EU membership and the global economic crisis, the Presidential

Commission for Analysis of Social and Demographic Risk in Romania was appointed, within the Presidential Administration [14].

In its report, the Commission estimates that there are about 28,000 illegal drug users, most of them in Bucharest (24,000), and of these approximately 17,000 are injecting drug users (about 80% were males). In this context, the report proposes drug decriminalization in order to discover the consumers [15].

Following the Commission report, President Traian Basescu proposed the legalizing of consumption of soft drugs on September 22, 2009. Although the drug use should be discouraged, the Commission maintains that differences must be made between soft drugs and hard drugs, especially those injections - like heroin – that have devastating negative effects.

Further criminalization of drug use produces serious side effects such as reusing syringes that leads to disease transmission. In this regard, it is proposed the installation, in the neighborhoods with many drug addicts, of “slot machines and sterile injection kits”, as in some European countries to prevent reuse of syringes [16].

Conclusions

Romania is the first country to consider legalizing the consumption of soft drugs, while many other countries in Europe and America are still discussing this issue. Netherlands is one of the most liberal countries in this regard, the Swiss Confederation has rejected the legalization of soft drugs to the limit, Belgium and Czech Republic are among countries that do not punish drug possession in small quantities and counts on a policy of annihilation of organized networks that could attract more and more followers.

Pro arguments

In Romania, the legalization of soft drugs could establish a better control on the sale of other banned substances. As the drug use could be monitored, combating drug trafficking related charges would diminish considerably. Increasing tax revenues by assessing the trading of this drugs. Reducing violence and drug addiction.

Most doctors and health specialists are against any kind of drug, sustaining that they slowly destroy the nervous system.

When used in excess or in conjunction with other noxious mile, soft drugs are a danger to the consumer, beginning to have reactions, such as uncontrollable tremors of the limbs, temporary memory loss, incoherent in speech and gestures, including depression and panic attacks, feeling of vomiting and stomach cramps, uncontrolled gestures, paranoia, etc. Excessive use of soft drugs can lead to mental illness, caused mainly by Delta 9 tetrahydrocannabinol substance, found in marijuana. In high doses, LSD can cause heart attack, coma, death, seizures.

The psychological factor is decisive, because trying this substances from mild curiosity will be higher, pushing up to try other drugs.

Under current legislation on drug use [17], all the facts involving the possession, sale or purchase of drugs for any purpose will be punished with imprisonment from 2-5 years and restrictions on rights. As in most European countries, drug trafficking (in a network of more than three persons) is more severely punished, with imprisonment from 15 to 25 years and interdiction of certain rights.

The decriminalization proposal of soft drugs must be the subject for a lucid and honest public debate, involving political class medical community representatives, legal and religious representatives and NGOs.

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