

Fourth Quarterly Report on Existing Situation in Georgia Relating to New Psychoactive Substances

(1 March – 31 May, 2015)

1. Preparation of Quarterly Report

According to Sub-paragraph “d” of Paragraph 1 of Article 7 of the Law of Georgia “On New Psychoactive Substances” and Sub-paragraph “d” of Paragraph 1 of Article 3 of the “Regulation of State Commission Supporting Suppression of Distributing New Psychoactive Substances” (the latter is approved by the Joint Order №344/№01-30/n/№147 of 13 May 2014 of Minister of Internal Affairs of Georgia, Minister of Labour, Health and Social Affairs of Georgia and Minister of Finance of Georgia), it is the obligation of the State Commission Supporting Suppression of Distributing New Psychoactive Substances to publish quarterly reports relating to NPS situation existing in Georgia.

The Fourth Quarterly Report covers the period from March 1 until the end of May, 2015.

2. Activities of State Commission

Establishment, composition and activities of the State Commission Supporting Suppression of Distributing New Psychoactive Substances (hereinafter – State Commission) are envisaged by Articles 6-7 of the Law of Georgia “On New Psychoactive Substances” and the Joint Order №344/№01-30/n/№147 of 13 May 2014 of Minister of Internal Affairs of Georgia, Minister of Labour, Health and Social Affairs of Georgia and Minister of Finance of Georgia “On Establishing State Commission Supporting Suppression of Distributing New Psychoactive Substances and Approving its Regulation” (hereinafter – Joint Order).

The State Commission is composed of the representatives from the Ministry of Internal Affairs, Ministry of Labour, Health and Social Affairs of Georgia and Ministry of Finance of Georgia. Furthermore, besides the Commission members envisaged by Article 1 of the Joint Order, respective specialists participate in the State Commission meetings, in case of necessity and upon invitation of the State Commission Chairman. Thus, the involvement of the non-governmental sector is guaranteed.

In accordance with Paragraph 1 of Article 4 of the “Regulation of State Commission Supporting Suppression of Distributing New Psychoactive Substances”, the State Commission meets regularly, but at least once a month. During the reporting period and with the organizational support of the State Commission Secretary, the Tenth Meeting of the State Commission was held on 16 March 2015; the Eleventh Meeting was held on 14 April 2015; the Twelfth Meeting was held on 1 May 2015. Relevant Protocols have been drawn up. Objectives of the Meetings were: implementing the new legislation on new psychoactive substances in Georgia, facilitating discussion concerning the NPS trends and concerning the proposals to be submitted to the Government, and reacting to relevant challenges.

3. Main Directions Identified at State Commission Meetings

➤ Existing Situation in the Country after Adopting the Law

According to the information presented by the Ministry of Internal Affairs of Georgia, 80 criminal cases have been initiated on illicit traffic in new psychoactive substances (so-called “Bio Drugs”) and 86 persons have been charged during the reporting period. These figures are vivid examples of the active work conducted by the law enforcement towards suppressing illicit traffic in new psychoactive substances.

Furthermore, deprivation of liberty for up to 5 years is defined as a measure of punishment for the crime envisaged by Article 260.1¹ of the Criminal Code of Georgia¹; in other words, this crime is qualified as a less grave crime. And therefore, the prosecution mostly requests bail as a preventive measure and hence, detention is less used.

In accordance with the statistical data presented by the Ministry of Internal Affairs of Georgia (MIA), during the reporting period 82 expertize opinions have been issued by the MIA Forensic-Criminalistic Main Division concerning the identification of new psychoactive substances; 95 objects have been identified, among which:

74 objects belonged to	-	I Class of Compounds of New Psychoactive Substances (Cannabinomimetic Compounds);
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¹ Criminal Code of Georgia, Article 260.1¹:

“Illicit production, manufacture, purchase, storing, transport, transfer or sale of new psychoactive substances, - Shall be punishable by deprivation of liberty for up to five years.

20 objects belonged to	-	II Class of Compounds of New Psychoactive Substances (Phenethylamin Compounds);
1 object belonged to	-	VI Class of Compounds of New Psychoactive Substances (Tryptamin Compounds)

According to the Ministry of Internal Affairs data, during the Fourth Quarterly Reporting period the overall quantity of identified objects has amounted to 145.91959 g. Hence, based on the data of Quarterly Reports, a decrease tendency is maintained.

According to the information presented by the Ministry of Finance of Georgia, only one case of importing new psychoactive substances occurred during the reporting period. More precisely, on 11th May of 2015 unknown powder was detected in a postal delivery package. This fact was notified to the respective structures of the MIA and a sample was taken for expertize. After conducting expertize, existence of new psychoactive substance was identified. The case was transferred to relevant structures for further response. Hence, based on the Customs Service activities and in comparison to the data of previous Quarterly Reports, a significant reduction tendency has been maintained. This further emphasizes the effectiveness of the drug policy conducted by the State.

According to the information presented by the Ministry of Labour, Health and Social Affairs of Georgia, during the reporting period information sharing on new psychoactive substances among the countries involved in international network continues to be undertaken, under the framework of the international initiative of the International Narcotics Control Board. More precisely, three special notices (No. 4/2015, No. 5/2015, No. 6/2015) have been received during the reporting period (30.03.2015, 07.04.2015, 27.05.2015).

The information received from the Ministry of Labour, Health and Social Affairs was shared with relevant organs of the Ministry of Internal Affairs and Ministry of Finance of Georgia by the State Commission Supporting Suppression of Distributing New Psychoactive Substances; this information has been verified in regard to the substances criminalized by the Law of Georgia "On New Psychoactive Substances".

Hence, we may say that Georgia effectively uses early warning system and duly responds to the challenges related to new psychoactive substances, existing on the world market.

➤ **Summarizing One-Year Activities of the State Commission**

In accordance with the provisions of the Law of Georgia “On New Psychoactive Substances” and the Joint Order “On Establishing State Commission Supporting Suppression of Distributing New Psychoactive Substances and Approving its Regulation”, and in order to ensure transparency of the State Commission activities and its accountability before the society, the State Commission’s one-year work has been summarized and assessed at the Twelfth Meeting (01.05.2015), after one year the Law of Georgia “On New Psychoactive Substances” has entered into force.

According to the information presented by the Secretary of the State Commission at the Meeting, before May 1, 2014 when the Law “On New Psychoactive Substances” entered into force, the situation in the country was problematical, the youth were actively consuming these substances and there were several fatal cases. On this background, a new Law placed the so-called “Bios” and “Spices” under regulation. The Law has turned out to be effective towards several directions. After the Law entered into force, a significant decrease tendency of consuming “Bio Drugs” for more than 90% has been identified. Furthermore, besides the Law, a wide-scale anti-drug campaign has been carried out; State Commission was set up which meets every month and conducts monitoring. It is noteworthy that the measures carried out in regard to new psychoactive substances have been positively assessed in the International Narcotics Control Strategy Report of 2015, published by the US Department of State.

At the State Commission Meeting as the governmental and non-governmental sector representatives stated, the state policy designed against using “Bio Drugs” has turned out to be effective, since all segments of this policy have worked together and jointly resulted in positive outcome.

➤ **Involvement of Non-Governmental Sector and Respective Assessment**

In accordance with the Joint Order “On Establishing State Commission Supporting Suppression of Distributing New Psychoactive Substances and Approving its Regulation”, respective specialists may participate in the State Commission meetings, in case of necessity and upon invitation of the State Commission Chairman. In this regard, Zurab Sikharulidze, representative of the non-governmental sector, narcologist, doctor of medical science -

attended the Twelfth Meeting of the State Commission (01.05.2015), upon request of the Commission members.

According to Zurab Sikharulidze's assessment, over the last 8 months referral to clinics concerning "Bio Drugs" has practically decreased. Massive consumption of "Bios" and "Spices" is no longer identified and furthermore, no new substances have been detected. On this background, along with the measures of control and suppression, Zurab Sikharulidze especially highlighted correctly planned and executed information campaign which has resulted in positive outcome. People have received correct information concerning new psychoactive substances, what has decreased the number of consumers of these substances. (Statements by Zurab Sikharulidze are available at the drug policy web page, under the section of State Commission Meetings²).

➤ **New Information Campaign on Negative Effects of Drugs**

A new graph - Information on Drugs - has been added to the drug policy web page. Representatives of the non-governmental sector (Uranti, Bemoni) were included in the information processing process. This initiative aims to provide the society with the information on negative effects of drug consumption, in an easily understandable form; to present relevant definitions, considering the specifics of the terminology of this field; to inform the society on the role of parents, school and other social factors as well as on treatment; also, to raise awareness of the society concerning the ill-consumption of certain substances available in Georgia.

➤ **International Cooperation**

On 16-17 April 2015 a regional event on Monitoring and Control of New Psychoactive Substances, organized by European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), was held in Tbilisi. Eight representatives of the MIA from respective divisions of Central Criminal Police, Forensic-Criminalistic Main Division, Reforms and Development Agency and Academy of the Ministry of Internal Affairs of Georgia attended the event. The objective of the event was experience and best practice sharing in terms of NPS regulation. In this regard, within the framework of the event, Sopio Kiladze – Secretary of the State Commission Supporting Suppression of Distributing New Psychoactive Substances presented the activities of the State Commission and the state policy on controlling NPS situation in Georgia, *inter alia*, highlighting more than 90% decrease in NPS consumption. On the second

² Available at: <http://police.ge/ge/shss-shi-/8082>.

day of the event, participants (experts and specialists from ENCDDA, Europol, ENP countries of Azerbaijan, Belarus, Israel, Moldova, Ukraine, Croatia, Hungary, Poland and Georgia) visited MIA Forensic-Criminalistic Main Division and observed the working process of forensic chemistry laboratory, where expertize of drugs, including NPS is conducted. EMCDDA representatives and experts assessed the forensic chemistry laboratory as one of the best among European countries. (These statements are available at drug policy web page, under the news graph³).

On 29 April 2015 EU-Eastern Partnership countries dialogue on drugs was held at Brussels, Belgium. The dialogue was attended by the Secretary of State Commission Supporting Suppression of Distributing New Psychoactive Substances. Positive results in terms of conducting balanced drug policy in Georgia was highlighted within the framework of the dialogue. Moreover, countries participating in the dialogue expressed readiness to share Georgian experience and further cooperate with Georgia in this regard.

On 27-28 May 2015 the United Nations Office on Drugs and Crime (UNODC) organized a Regional Dialogue on drug policies and their impact on HIV in Kiev, Ukraine. The dialogue aimed at supporting the discussions in preparation of the UN General Assembly Special Session on Drugs (UNGASS). The dialogue was attended by Secretary of State Commission Supporting Suppression of Distributing New Psychoactive Substances.

³ Available at: <http://police.ge/ge/shss-s-saeqsperto-kriminalistikur-mtavart-sammartvelos-evropis-monitoringis-tsentr-is-evropolis-evrokavshiris-da-evropis-samezoblo-politikis-tsevri-qveknebis-tsarmomadgenlebi-etsvivnen/8013#!prettyPhoto>.