

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

(15 November, 2014 – 28 February, 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 Third Quarterly Report covers the period from November 15, 2014 (the Sixth Meeting of State Commission was held on 14 November 2014) until the end of February of 2015 (28/02/2015).

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.

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 Seventh Meeting of the State Commission was held on 12 December 2014; the Eighth Meeting was held on 13 January 2015; the Ninth Meeting was held on 13 February 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, 51 criminal cases have been initiated on illicit traffic in new psychoactive substances (so-called “Bio Drugs”) and 53 persons have been charged during the reporting period. Relying on these figures, in comparison to the First Quarterly Report data and considering the Second Quarterly Report data, a decrease tendency has been maintained, the situation is stable and is under control, thus emphasizing the significance and necessity of the measures undertaken by the Ministry.

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 50 expertize opinions have been issued by the MIA Forensic-Criminalistic Main Division concerning the identification of new psychoactive substances; 52 objects have been identified, among which:

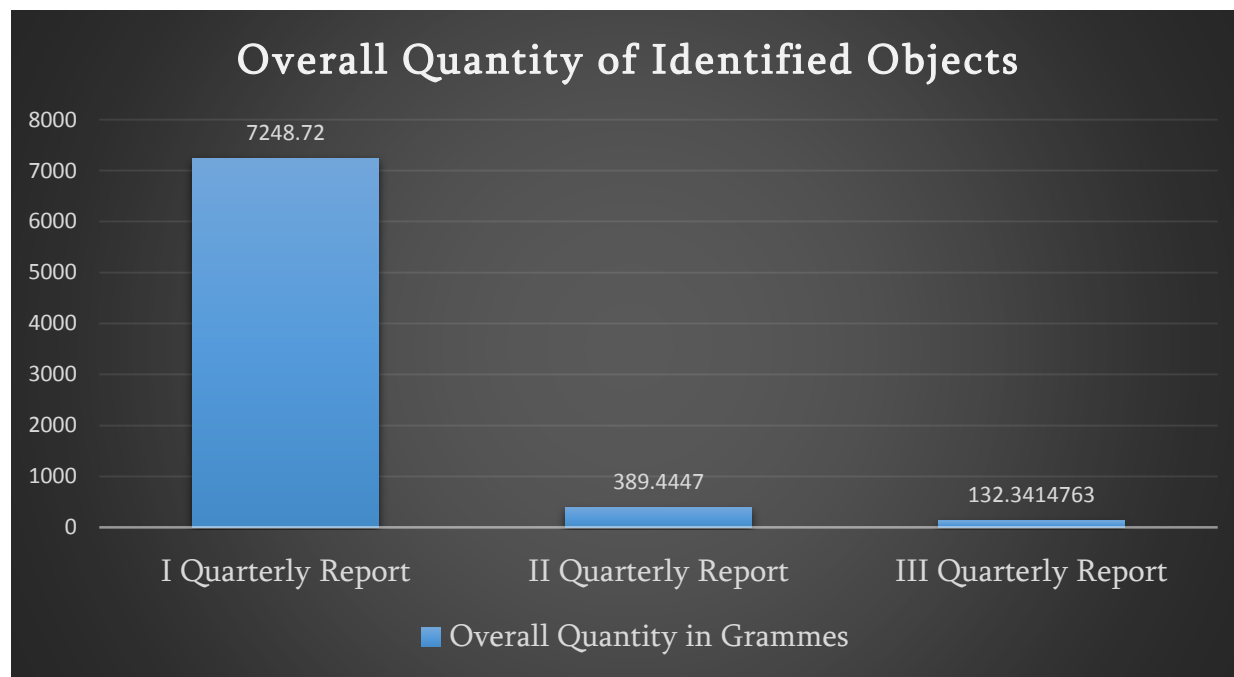
¹ Criminal Code of Georgia, Article 260.1¹:

“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.

49 objects belonged to	-	I Class of Compounds of New Psychoactive Substances (Cannabinomimetic Compounds);
3 objects belonged to	-	II Class of Compounds of New Psychoactive Substances (Phenethylamin Compounds);

Relying on these figures, in comparison to the similar data of the First Quarterly Report and considering the Second Quarterly Report data, a decrease tendency has been maintained.

According to the Ministry of Internal Affairs data, during the Third Quarterly Reporting period the overall quantity of identified objects has amounted to 132,3414763 g., thus indicating a significant decrease in comparison to the overall quantities of identified objects during the reporting period of the First Quarterly Report (7 kg. 248.72 g.) and of the Second Quarterly Report (389.4447 g.).



According to the information presented by the Ministry of Finance of Georgia, only one case of importing new psychoactive substances in the form of a parcel occurred during the reporting period. More precisely, on 30th January of 2015 unknown powder of up to 9,47 g. was detected in a postal delivery package. After conducting expertize, existence of new psychoactive substance was identified. The case was transferred to relevant structures of the Ministry of

Internal Affairs of Georgia for further response. Hence, based on the Customs Service activities, a significant reduction tendency has been maintained in comparison to the First Quarterly Report data and considering the Second Quarterly Report data (during which also only one case of NPS smuggling was detected). 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. 1/2015, No. 2/2015, No. 3/2015) have been received during the reporting period (20.01.2015, 26.01.2015, 09.02.2015).

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 was verified in regard to the substances criminalized by the Law of Georgia “On New Psychoactive Substances”.

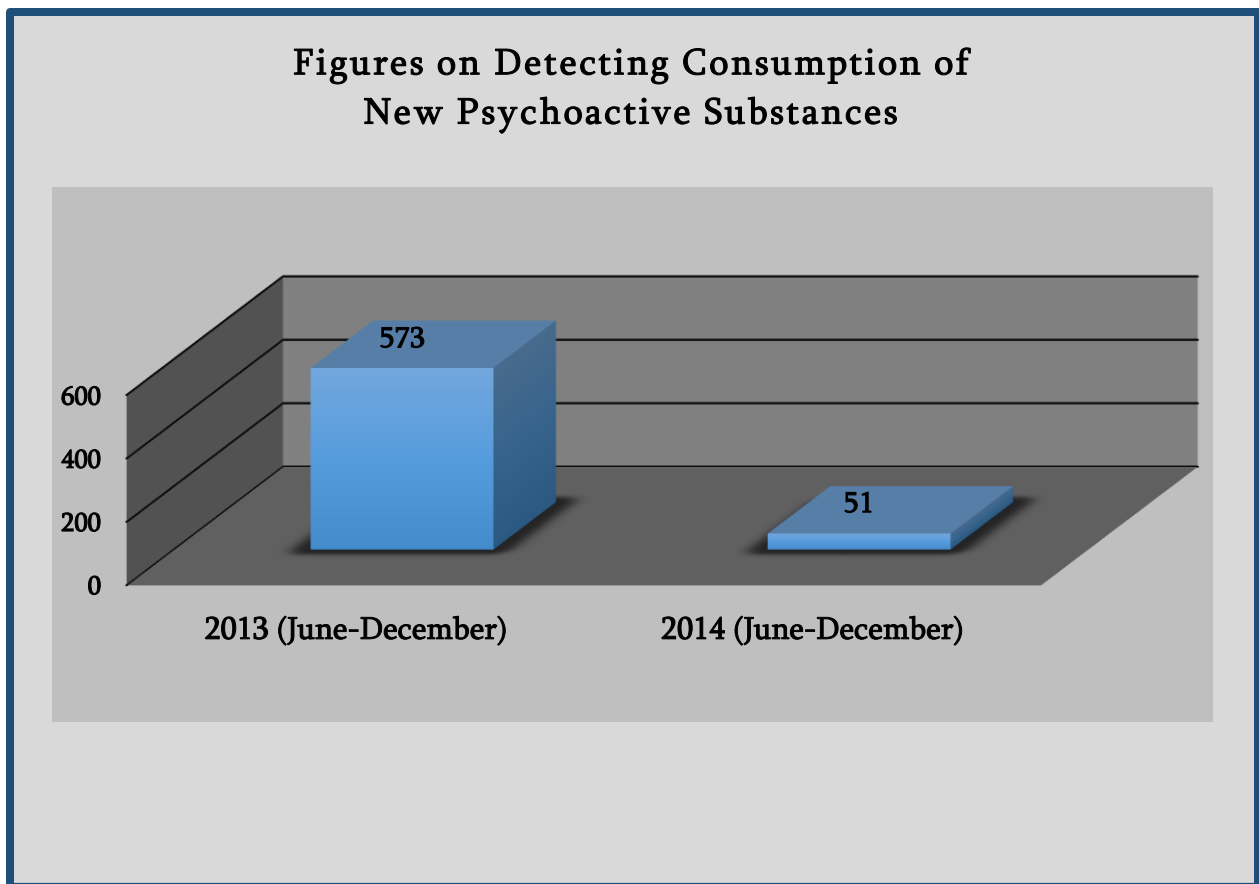
Hence, we may say that Georgia effectively uses early warning system and duly responds to the challenges related to new psychoactive substances, existing on the world market.

➤ **Summarizing the 2014 Activities of the State Commission**

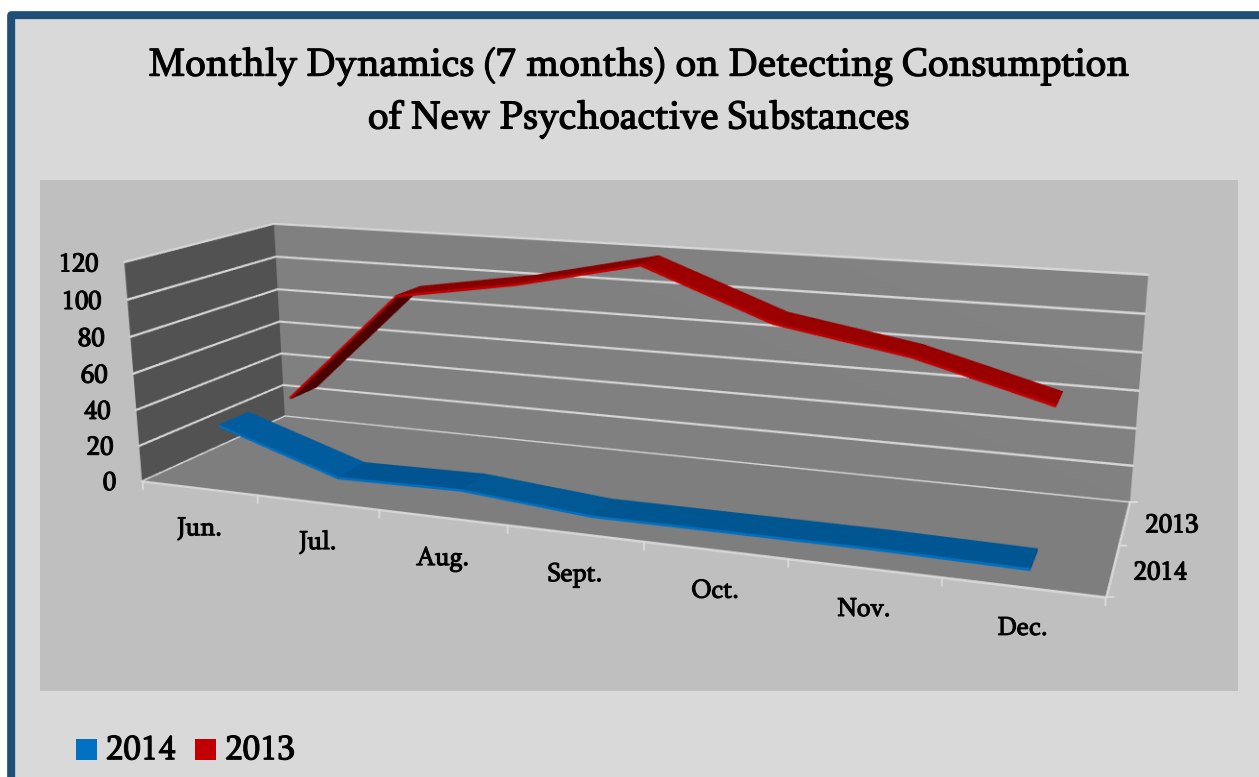
In accordance with the provisions of the Law of Georgia “On New Psychoactive Substances” and the Joint Order “On Establishing State Commission Supporting Suppression of Distributing New Psychoactive Substances and Approving its Regulation”, and in order to ensure transparency of the State Commission activities and its accountability before the society, the State Commission’s work of 2014 has been summarized and assessed at the Eighth Meeting (13.01.2015). This information is included in the 2014 Report on Drug Situation in Georgia. The Report covers the activities (together with the respective statistical data) carried out in 2014 within the MIA scope of competence in terms of drug situation, inter alia covering the direction of new psychoactive substances. The Georgian and English texts of the Report are available at the new drug policy web page of the MIA.

At the Eighth Meeting of the State Commission the achieved results of 2014 have been presented. Among the achievements the following have been named: effectiveness of State Commission, as of a permanent monitoring system; systematic character of the State

Commission Meetings; establishment of an electronic database on new psychoactive substances; ensuring transparency of the State Commission activities and in this regard emphasis has been made on permanent reporting of State Commission Meetings in the media creating of a drug policy web page at the MIA site, publishing of two quarterly reports. Under the framework of the State Commission's work, other activities have been mentioned as well, such as preparation of a package of legislative amendments; cooperation with the non-governmental sector; cooperation with foreign partners, including receiving special notices from International Narcotics Control Board and a regional event planned by EMCDDA to take place in Georgia in April 2015. And above all, more than 90% decrease in detecting consumption of new psychoactive substances has been highlighted at the Meeting, based on comparing the 7 months (June-December) figures of 2014 with the similar period data of 2013. More precisely, if in 2013 the overall number of 7 months period was 573, in 2014 only 51 cases have been reported.



As for the monthly dynamics of decrease in the reporting period:



According to the assessment made by participants of the State Commission Meeting, the policy against using “Bio Drugs” conducted in the country has turned out to be effective, since all segments of this policy have worked together and in sum amounted to positive results.

➤ **Information by Center for Mental Health and Prevention of Addiction**

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, it is noteworthy that Lasha Kiladze, Director of Center for Mental Health and Prevention of Addiction, attended the Eighth Meeting of the State Commission (13.01.2015).

According to the information presented by Lasha Kiladze at the Meeting, over the last 6 months no cases had been identified of neither stationary nor ambulatory treatment towards the patients dependent on new psychoactive substances. In this regard, according to Lasha

Kiladze's assessment, the law adopted in May 2014, a complex approach from various agencies in order to overcome this problem, prevention mechanisms and anti-drug campaign should especially be noted. (Statements by Lasha Kiladze are available at the drug policy web page, under the section of State Commission Meetings).