

His Excellency Mr. Giorgi Kvirikashvili
Prime Minister of Georgia

7, Ingorokva Street
Tbilisi 0114
Georgia

Geneva, 10 October 2017

Excellency,

Following our visit in April 2014 and the excellent discussions we had with representatives of the executive and legislative branches at the time, as well as with civil society, the Global Commission on Drug Policy has followed developments of drug policy in your country with great interest.

Having studied the proposed amendment to the *Criminal Code* and the *Code of Administrative Offences*, as well as the plans to repeal the *Law on Combatting Drug-Related Crime* and replace it with a *Law on Substances under Special Control and Narcological Assistance* currently under discussion, we are therefore delighted to see that Georgia is about to take important additional steps in the right direction in drug policy.

The abolition of criminal sanctions, including imprisonment, for drug use and possession of small amounts of controlled substances for personal use and replacing them with monetary fines and community service in particular, has the potential to bring significant benefits to Georgia as seen in other countries that have taken similar measures. The Global Commission would however like to bring to your attention that no difference should be made between the first time an individual is apprehended in the possession of drugs for personal use and possible later occasions. We would urge you to consider reviewing the laws currently under consideration in this regard. Subjecting second time offenders to the criminal justice system has the potential to cancel all the benefits of the partial decriminalization of drug use and possession, and, therefore, continue to cause major negative consequences in people's lives, related to the establishment of a criminal record.

Portugal, which adopted measures to divert people who use drugs from the criminal justice system to the public health system under the government of one of my fellow commissioners, former President Jorge Sampaio, is probably the most famous example of decriminalization of all narcotic drugs and psychotropic substances and its positive outcomes. Indeed, over 25 countries have successfully implemented a form of decriminalization. As you know, the experience has been positive with better health outcomes and also reduction in drug-related property crime and other petty crimes.

The lack of a distinction between small quantities for personal use and larger quantities destined for sale in the *Law on Combatting Drug-Related Crime* has been a source of concern as it has led to harsh sentences for people not involved in drug trafficking. Considering the abolition of this law is therefore a positive measure. References in the amendments to the *Code of Administrative Offences* argue that the use of urine samples on a large scale has not brought desired effects. Instead, it has cost resources which could be better used in social reintegration and services. In this regard the focus of the new law on the provision of social and health care services to people who use drugs is especially encouraging.

Together with my fellow Commissioners I would like to congratulate the Government of Georgia on the steps that Georgia is about to take and ensure you of our strong support for these amendments and the new bill.

Please accept, Excellency, the assurance of my highest consideration,



Ruth Dreifuss
Chair of the Global Commission on Drug Policy
Former President of Switzerland