

Portugal

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1.

The European Monitoring Centre on Drugs and Drug Addiction noted in its 2001 Annual Report on the State of the Drugs Problem in the EU that "In Portugal no penal sanctions will be applied to repress the private use of illicit substances after 1 July 2001 (law 30/2000 adopted in November 2000). The drug-use offender will instead be oriented to treatment or counseling by specific commissions."

Source:

European Monitoring Center for Drugs and Drug Addiction, "2001 Annual Report on the State of the Drugs Problem in the European Union" (Brussels, Belgium: Office for Official Publications of the European Communities, 2001, p. 25.

2.

"In Portugal the law no. 30/2000, of 29 November 2000, introduced the decriminalisation of possession and use of all drugs, effective from 1 July 2001. The previous system considered use and possession as a criminal offence, sanctioned by penal measures. Now, if an individual is caught in possession of a modest quantity of drugs (below ten daily doses), and police have no further suspicions or evidence that more serious offences such as sale or traffic are involved, the drug will be seized and the case transmitted to a local Commission composed of 3 members (a lawyer, and two from a range of doctors, social assistants, and psychologists), supported by a technical team. The Commission meets the person in order to evaluate his/her situation and with the aim of eventually diverting the person from prosecution or sending them to treatment; sanctioning with fines, even if possible, is not the main objective in this phase. The procedures will be suspended following the first appearance in front of the Commission, provided the use is occasional or regular, but not habitual (addicted)."

Source:

"Decriminalisation in Europe? Recent Developments in Legal Approaches to Drug use" (Lisbon, Portugal: European Monitoring Centre on Drugs and Drug Addiction, November 2001), p. 3, available on the web at http://wldd.emcdda.org/databases/eldd_comparative_analyses.cfm .

3.

According to "Portugal Drug Situation 2000," a report prepared for the European Union's European Monitoring Centre on

Drugs and Drug Addiction, "From the issues concerning the legal framework, the decriminalisation of drug use stands out as the core axis of the new strategy, expressed in line with the rationality defined by the Legislator. However, this decriminalisation cannot be considered in an atomic way but rather inserted in a more wider context which aims at health promotion, risk reduction and rehabilitation of drug abusers. It seeks to avoid the stigmatisation of drug users, which will always result from the contact between them and the criminal justice system. This is not a decriminalisation by omission but rather a constructive decriminalisation project from which a new policy dynamics based on drug use will emerge. The National Strategy points the way to maintaining the disapproval of drug use, as the offence leaves the criminal sphere to enter the administrative one. In practical terms, possessing or using drugs will not lead the individuals to the criminal territories, as the social criticism will be circumscribed to the imposition of administrative sanctions."

Source:

Report to the European Monitoring Center on Drugs and Drug Addiction by the Reitox National Focal Point of Portugal, Instituto Portugues da Droga e da Toxicodependencia, "Portugal Drug Situation 2000: Annual Report on the Drug Phenomena 2000" (Lisbon, Portugal: IPDT and EMCDDA, 2000), pp. 67-68.

4.

According to "Portugal Drug Situation 2000," a report prepared for the European Union's European Monitoring Centre on Drugs and Drug Addiction, "Between 1992 and 1998, lifetime use prevalence of tobacco, beer and wine - the most widely used substances - decreased. In the secondary level less than 8% of students experienced tobacco and beer, and less than 5% experienced wine, and in the final basic level, this decrease was even higher reaching 11% for tobacco, 13.5% for beer and 7% for wine. However, in the secondary level, the higher use prevalence refers to spirits/distilled drinks: 78% of the students had already used them and 74% had used beer. Thus, in 1998, around 3/4 of the secondary classes' students had already used drinks with a very high alcohol level (gin, vodka, whisky, etc.). In the final basic level those values indicate that 44% of the students had already tried beer and 40% had already used distilled drinks (therefore, a little less than half the students."

Source:

Report to the European Monitoring Center on Drugs and Drug Addiction by the Reitox National Focal Point of Portugal, Instituto Portugues da Droga e da Toxicodependencia, "Portugal Drug Situation 2000: Annual Report on the Drug Phenomena 2000" (Lisbon, Portugal: IPDT and EMCDDA, 2000), p. 17.

5.

According to "Portugal Drug Situation 2000," a report prepared for the European Union's European Monitoring Centre on Drugs and Drug Addiction, "In secondary school, tranquillisers and cannabis have similar lifetime use prevalence (around 15% and 19%, respectively) with no (significant statistic) variation between 1992 and 1998. Concerning stimulant use prevalence, they also remained constant at 6% during the same period. In the final basic level, tranquillisers presented the higher lifetime

use percentages (around 10%), whereas the percentage of students who had already used cannabis or stimulants was close to 4%. In the night classes, in 1998, the higher use prevalence went to tranquillisers (26%) followed by cannabis (20%) and stimulants (8%).... Concerning recent use, it is possible to verify that the respective use prevalence show rather lower values and that they remained stable between 1992 and 1998. Thus, in the last 30 days before the survey - Chart 2.1 - in secondary school, 6% were cannabis users, 5% were tranquillisers users and 1% were stimulant users. In the final basic level 2% were cannabis and tranquillisers users and 1% were stimulants users. In night classes, in 1998, those values were of 7% and 1%, respectively."

Source:

Report to the European Monitoring Center on Drugs and Drug Addiction by the Reitox National Focal Point of Portugal, Instituto Portugues da Droga e da Toxicodependencia, "Portugal Drug Situation 2000: Annual Report on the Drug Phenomena 2000" (Lisbon, Portugal: IPDT and EMCDDA, 2000), p. 17.

6.

According to "Portugal Drug Situation 2000," a report prepared for the European Union's European Monitoring Centre on Drugs and Drug Addiction, "The National Commission for the Fight Against AIDS (Comissao Nacional de Luta Contra a SIDA), in cooperation with the National Association of Pharmacies (Associacao Nacional de Farmacias), implements the national syringe exchange programme 'Say no to a second hand syringe' which was set up in October 1993 to prevent HIV spread amongst IV drug users. It currently involves approximately 2,175 pharmacies nation-wide and 3 mobile centres: 1 at Casal Ventoso, 1 in Currealeira (another problematic neighbourhood in Lisbon) and 1 in the Algarve.... The programme is also being enlarged through protocols with several organisations which will also ensure clinical care and support, HIV and other infectious diseases detection, meals, psycho-social support, legal support and referral to other health care services. Those new partners include drop in centres for prostitutes and for the homeless and other low threshold programmes."

Source:

Report to the European Monitoring Center on Drugs and Drug Addiction by the Reitox National Focal Point of Portugal, Instituto Portugues da Droga e da Toxicodependencia, "Portugal Drug Situation 2000: Annual Report on the Drug Phenomena 2000" (Lisbon, Portugal: IPDT and EMCDDA, 2000), p. 52.

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