

The Portuguese Model

- Decriminalization of Drug Use -

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The logo for aPodes features the word "aPodes" in a stylized, lowercase font. The letters are filled with a pattern of small, overlapping shapes in shades of blue and teal. Below the main text, the tagline "in People we trust" is written in a smaller, plain font.

aPodes
in People we trust

The Portuguese Model

- **1999: National Strategy of War on Drugs**

- Establishment of an HR policy related to drug use and decriminalization.

- **The Aim...**

- Promote health in general at clinical and sanitary level

- Prevention and reduction of drug abuse is the first aim of this law

- **2000: Law 30/2000**

- Defines the legal framework applicable to the consumption of narcotics and psychotropic substances, together with the medical and social welfare of the consumers of such substances without medical prescription

- Decriminalization of drug use
- Trafficking remains criminalized
- The illicit substances remain illegal
- Use, purchase, transportation and possession for use, is not a crime but constitutes an administrative offence

The Portuguese Model

- **Legislative Evolution: From Justice to Health**
 - The drug user is seen as a sick person
 - The drug user must be responsible for a behaviour that is still considered an offence in Portugal
 - This regime doesn't promote the impunity of the consumers
 - Quick intervention among drug users
- **2001: Dec.-Lei 183**
 - It is made a Legal report, sent to the CDT - the consumer must attend in 72 hours
 - The case is analysed and a sentence is given (suspensions: suspension, suspension with voluntary treatment and sanction: prohibition from attending certain places, community work, fines...)
 - Distinction between offense and crime: the amount of illegal substance (the Law establishes the reference of quantities)

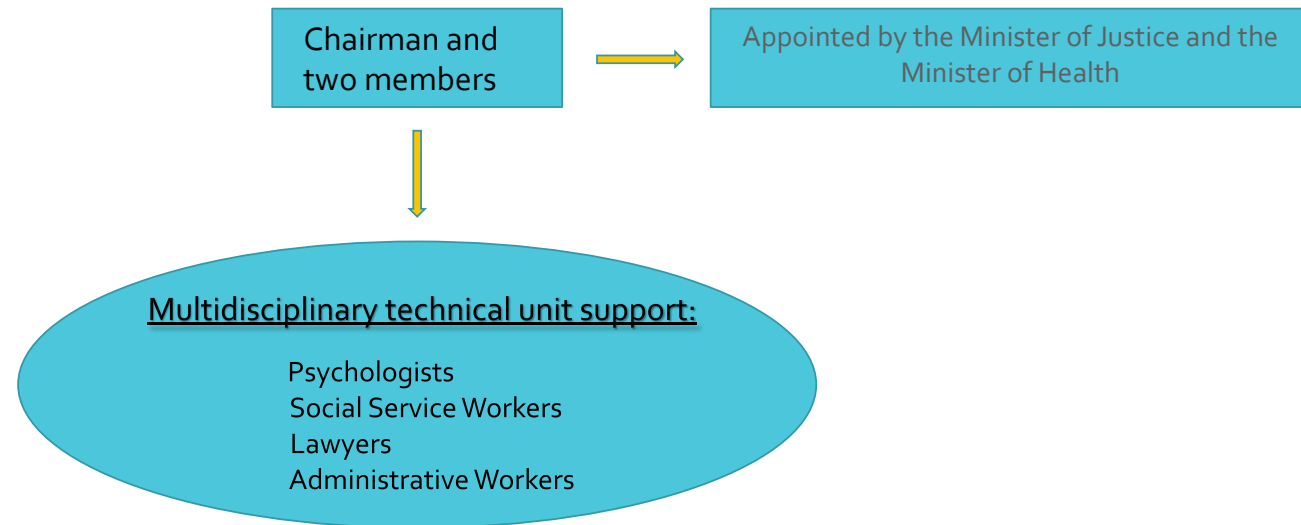
Commissions for the Dissuasion of Drug Addiction

- **What it is?**

- It is a collegial body similar to an administrative court (applying administrative measures through processes of contravention - behavior of normative censorship)
- Politically appointed (Chairman and two members).
- Opens the “process” and guides it to the technical team.

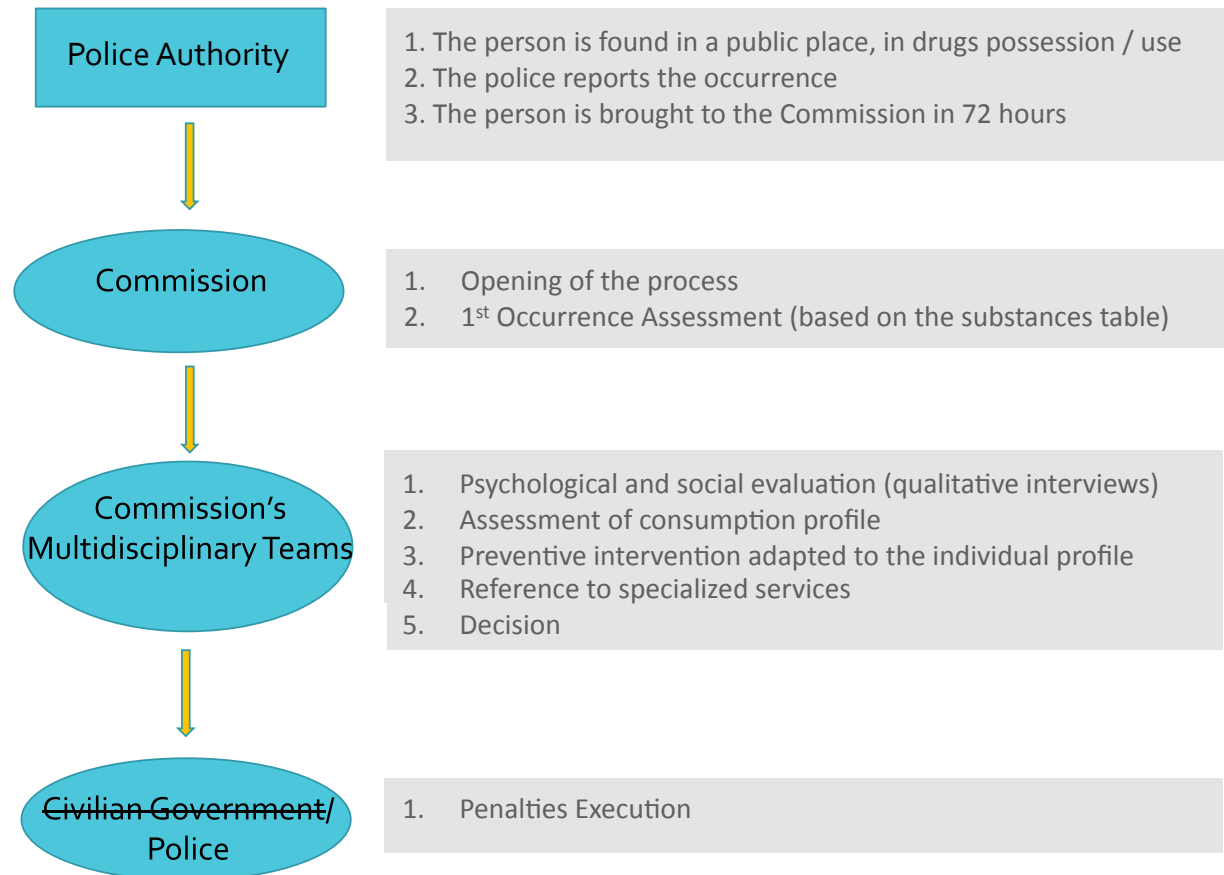
Commissions for the Dissuasion of Drug Addiction

The Commission is composed by...



Commissions for the Dissuasion of Drug Addiction

The procedure to identify and referring persons to the Commissions...



Commissions for the Dissuasion of Drug Addiction

Non-penalty Measures:

- Provisional suspension of the process (until 36 months) with acceptance of treatment
- Provisional suspension of the process (until 36 months) for those who don't need treatment

Penalty Measures:

- For drug addicted interrupting treatment → sanctioning plan to motivation for treatment (motivational program)
- For recidivist not addicted drug users → payment of a fine

Commissions for the Dissuasion of Drug Addiction

Consumption profiles categories:

- Low risk
- Moderate risk
- Severe risk
- Dependence

Assessment Indicators:

- physical health
 - mental health
 - social integration
- (continuum)
- 

This intervention is supported on ASSIST Program - WHO

Commissions for the Dissuasion of Drug Addiction

Obstacles and Limits of the Commissions' Design:

- Police and Table (remains the tendency for the "culture of authority" that reproduces the stigmatisation)
- Ambivalence of decriminalization (the boundary that separates the crime and the not crime)
- During the process of reference, sometimes the drug users are handcuffed and detained at the police station

Commissions for the Dissuasion of Drug Addiction

Year	Drug Offences (police identification)	Opened Processes	Decisions	Types of Decisions	Nr.
2005	Total: 5565	6260	3192	Provisional suspension not addicted users	1892
	Trafficker: 2252			Provisional suspension with treatment	683
	Trafficker-User: 3306			Punitive	476
				Acquittal	72
2006	Total: 5425	6216	3020	Provisional suspension not addicted users	1778
	Trafficker: 2359			Provisional suspension with treatment	597
	Trafficker-User: 3047			Punitive	516
				Acquittal	61
2007	Total: 5202	6744	3338	Provisional suspension not addicted users	2010
	Trafficker: 2424			Provisional suspension with treatment	623
	Trafficker-User: 2774			Punitive	571
				Acquittal	46
2008	Total: 5424	6543	4602	Provisional suspension not addicted users	2880
	Trafficker: 2286			Provisional suspension with treatment	829
	Trafficker-User: 3138			Punitive	670
				Acquittal	121
2009	Total: 6348	7549	5508	Provisional suspension not addicted users	3719
	Trafficker: 2615			Provisional suspension with treatment	825
	Trafficker-User: 3733			Punitive	768
				Acquittal	78
2010	Total: 6320	7315	4435	Provisional suspension not addicted users	2765
	Trafficker: 2636			Provisional suspension with treatment	875
	Trafficker-User: 3679			Punitive	634
				Acquittal	99
2011	Total: 6178	6898	5033	Provisional suspension not addicted users	3259
	Trafficker: 2631			Provisional suspension with treatment	745
	Trafficker-User: 3545			Punitive	740
				Acquittal	217

**For further
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