

SUMMARY

Overview of the  
situation of the  
rights of people  
who use drugs

In 2018, **46 cases of rights violations of people who use drugs (PUD) were documented.** Most cases are documented in Skopje (16), Strumica (15) and Ohrid (9). Several cases have been documented in other cities such as Bitola, Kumanovo, Gostivar and Dojran.

According to the victims' characteristics, most rights violations cases are against men (30) while there are 8 cases against women.

**Table: Documented cases of rights violations of PUD per type of violation**

Type of rights violation		Characteristics of victim(s) - people who use drugs			Total PUD
		Men	Women	Group	
1.1.	Refusal to provide medical service	4	5	2	11
1.2.	Harassment while providing medical service	2			2
1.3.	Other violations to health rights and discrimination in the health system	2	1	2	5
<b>1.</b>	<b>Health rights violations total</b>	<b>8</b>	<b>6</b>	<b>4</b>	<b>18</b>
<b>2.</b>	<b>Discrimination in catering industry businesses</b>		<b>1</b>	<b>1</b>	<b>2</b>
3.1.	Discrimination in the access to social services	2			2
3.2.	Unprofessional conduct of social workers	1			1
<b>3.</b>	<b>Social protection rights violations total</b>	<b>3</b>			<b>3</b>
<b>4.</b>	<b>Discharge from prison without persona documentation</b>	<b>8</b>			<b>8</b>
5.1.	Illegal search	2	1	1	4
5.2.	Physical violence by the police	3			3
5.3.	Unprofessional conduct and violations of other rights during police procedures	1		1	2
<b>5.</b>	<b>Rights violations by the police, total</b>	<b>6</b>	<b>1</b>	<b>2</b>	<b>9</b>
<b>6.</b>	<b>Persecution of people who use hemp recreationally</b>	<b>2</b>		<b>1</b>	<b>3</b>
<b>7.</b>	<b>Discrimination in employment</b>	<b>3</b>			<b>3</b>
	<b>Total</b>	<b>30</b>	<b>8</b>	<b>8</b>	<b>46</b>

A total of **18 cases of health rights violations of people who use drugs have been documented.** In 8 cases the victims are men, in 6 they are women, and in 4 the victims are in a group.

There are **11 documented cases of refusal to provide medical services.** In three of these cases, the general practitioners did not want to admit people who use

drugs in their practices. There are three cases of refusal to provide medical services in the surgical ward in Strumica, where the people went to have surgical dressing applied to a wound, but the staff told them that after 15:00 they kept their sterile equipment for emergency cases only, and gave them bandages and iodine to do it themselves at home.

There are two cases of discrimination of PUD at a pharmacy.

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In one case in a Strumica pharmacy, the staff did not want to provide injection equipment, firstly stating that they did not have any. After the people told the pharmacist that they bought some this morning, she responded that she would not sell equipment to “junkies”. With such practices, pharmacies only contribute to harmful drug use with non-sterile equipment, which leads to transmission of hepatitis, HIV and other infections transmissible by blood.

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A total of **4 rights violations cases have been documented in regard to centres for treating addiction**. In three cases, the patients described inhuman and degrading treatment by the employees in these facilities. Patients in Ohrid complained that they were given therapy “while merely passing through” and the instruction of observing the patient 15 minutes after taking the therapy was not adhered to.

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In one case, the patient vomited the therapy immediately after taking it. The patient fell to his knees, while the medical staff did not take any measures, rather, other patients helped him up. Then they did not want to give him another dose of methadone, with the excuse that they would be a dose short.

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A total of **9 cases of rights violations have been documented in regard to the police**. There are three cases of illegal search, performed publicly - on the street, with no search order and no explanation. There **are three cases of physical violence toward men who receive addiction treatment**. All three cases have been documented in Ohrid.

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There is one case where police officers without uniforms stood before the home of a man on methadone treatment at 2 o'clock after midnight. The person went out of his house because his dog was barking, he went closer to their car and asked them to move further from the yard in order to avoid the dog waking up his neighbors. Soon they started ridiculing him because he did not see that they were police officers and they insulted him because he used drugs. The person tried to explain that he had been asleep and only came out to see why the dog was barking, and then one of the police officers hit him with a wooden stick and others punched him in the stomach and kidney

areas. The violence only stopped after his father came out of the house. The police officers continued threatening, saying “junkies, we will walk you like dogs on a leash” and laughing.

One documented case is about disrespect toward home search orders, use of excessive force and verbal violence by police officers.

After the police officers entered the apartment, they immediately pushed the person down to the floor and handcuffed him before his underage daughter. They had a search order, however, when the person asked to have witnesses to the search, the officers started ridiculing, insulting and threatening him. At the end of the search, they found used injection equipment and seized it.

In 2018, a **total of 8 cases were documented where people who use drugs were discharged from prison (Idrizovo correctional facility) without personal documentation.** All victims are men in opiate treatment, who received methadone while serving their sentence.

For five of these cases, HOPS contacted the Office for execution of sanctions. In its response, the Office determined that there was no violation, and referred to Article 196 where during discharge, the person is given their ID card and discharge papers. In regard to not issuing medical certificates on their health condition, in three cases the persons were discharged during the weekend, and due to the facility not having health services on duty during weekends, the certificate was not prepared. In the one case where the person was discharged during a workday, the Office simply stated that “If such certificate was not issued at the date of discharge, it may be issued after that date, on days where the health service is operational”. From this response we may conclude that the Office entirely ignores Article 193 which stipulates the obligations for preparation of persons for a life of freedom, hence the correctional facilities do not recognize their obligation to mediate in the procedures for obtaining personal documentation for persons being discharged, or to enable them to exit the facilities in order to apply for documentation and timely receive them.

In 2018, there were **3 cases of social protection rights violations of people who use drugs.** There are 2 cases of direct discrimination by the facility for homeless persons Chichino Selo, which refused to admit homeless persons only because they use drugs.

A total of **3 cases of rights violations of PUD have been documented in regard to employment.** There is one victim in two cases, it is a man being treated for addiction, who is constantly subject to mobbing by his superiors. The victim faces constant ridicule, and whenever he asks for something or states his opinion, his superior does not consider it and insults him because he uses drugs.

There are also two cases of discrimination in the access to goods and services by the same catering industry business in Strumica.

### Raids in night clubs criminalize the recreational use of drugs

There are **3 cases where people who use hemp recreationally were faced with police**, while they were using hemp in public space. Two of the cases occurred in Skopje, around night clubs, and one in Dojran during D Festival. In the first half of the year, the police performed an increased number of raids in night clubs, while there were increased police units in the summer music festivals.

The raids themselves consist of intimidating and spectacular armed police presence, they enter the clubs by force, turn off the music and search and identify the guests. Such procedures intimidate young people, they are being treated like criminals and their rights during police procedures are often violated. The use of force and the expenditure of budget resources during raids is disproportionate to the results of the raids - small quantities of psychoactive substances for personal use.

### Treatment for children who use drugs

In 2018 HOPS continued its contacts with children who use drugs and motivated them and their families to access treatment. However, children and families are difficult to motivate for this treatment, and even if they were motivated, they would face administrative barriers due to the lack of a programme for treating minors who use drugs.

The Government of the Republic of Macedonia adopted a decision to form a working group for creating a programme for comprehensive care and treatment of minors who use psychoactive substances, for youth policies. By the end of the year, a draft programme was created, and it comprehensively treats the problem, proposes opening Centres for prevention and treatment of children who use psychoactive substances, early detection measures and specialized and flexible services in accordance with the needs and situations of children who use drugs.

### Decriminalization of hemp

With the amendments of the Law on control of opioids and psychotropic substances, in order to legalize hemp for medical use, this was enabled but in a very restrictive form, therefore the law did not reach its goal, and most patients continued buying on the black market or prepare hemp oil themselves. This exposes patients to criminalization. People who prepare and sell oil to patients are being criminally prosecuted for production and sale of drugs, while these exact same actions are allowed for people who have enough finances to invest in this and complete the administrative procedure to obtain the permits.

In 2018, hemp and hemp oil was found with an activist for hemp decriminalization, and she was detained, after which she received a suspended sentence. A group of activists was protesting before the Basic Public Prosecution and demanded cessation of her detention, cessation of the persecution of people who use drugs, especially hemp, as well as decriminalization of hemp.

### Demands for dislocation of the centre for treating addiction in Kisela Voda

In 2018 the local population protested on this matter and demanded urgent dislocation of the centre for treating addiction in Kisela Voda. The Mayor of this municipality supported their demands and promised to dislocate the centre. The Ministry of Health also promised to solve this issue and proposed that the centre is moved outside of the city, as well as that a new centre with modern and improved treatment is built. However, the solution has not yet been found, while the mayor announced increasing the number of police units and staff in the centre as a temporary solution.

However, the issue cannot be resolved by simply moving the centre. The problem derives from the conditions for treating addiction: problems with the quality of treatment, reduced to simply administering methadone (limited possibilities for buprenorphine), lacking the component of resocialization and psycho-social support; very few treatment centres; insufficient coverage of patients in need of treatment. Instead of using this issue in pre-election campaigns and promises to dislocate the centre by the municipality and the Ministry of Health, the key institutions should talk about improving the addiction treatment.

## Recommendations

In order to promote the rights of people who use drugs, we emphasize the following priorities:

- The Ministry of Health, in cooperation with the Ministry of Labor and Social Policy, should improve the access and quality of treatment for people who use drugs.
- The programme for treating children who use drugs should be adopted as soon as possible.
- The mechanisms for protection against discrimination should be strengthened, particularly in the access to health and social services for PUD.
- The Ministry of Labor and Social Policy should assist the employment of people who use drugs or who are in treatment for addiction. Most of these people are unemployed and cannot find employment because they face discrimination in the labor market.
- The Ministry of Interior should stop performing raids in the night clubs and stop persecuting people who use drugs recreationally.
- Personal use of drugs should be decriminalized in order to prevent marginalization, criminalization and human rights violations of people who use drugs and to save budget funds which are wasted to prosecute these people, while yielding no positive results.
- The Ministry of Interior should take urgent measures to oversee the work of police officers and adequately punish those officers who violate the rights of PUD and are physically violent toward them.
- Correctional facilities should stop discharging people from prison without personal documentation and without health insurance, especially people in treatment for opioid addiction.