



**UNODC**

United Nations Office on Drugs and Crime

**Overview of Police Referral Scheme  
Programs in the EECA countries:  
Interaction Between Law Enforcement  
Agencies and Civil Society  
(Belarus, Moldova,  
Kazakhstan, Ukraine)**

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## ABBREVIATIONS

<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>ART</b>	Antiretroviral therapy
<b>CIS</b>	Commonwealth of Independent States
<b>CSO</b>	Civil society organization
<b>EECA</b>	Countries of Eastern Europe and Central Asia
<b>HCV</b>	Viral Hepatitis C
<b>HIV</b>	Human Immunodeficiency Virus
<b>IAA</b>	Internal Affairs Agencies
<b>KP</b>	Key population group
<b>MIA</b>	Ministry of Internal Affairs
<b>MSM</b>	Men who have sex with men
<b>NGO</b>	Non-governmental organization
<b>NPS</b>	New psychoactive substances
<b>PLWH</b>	People living with HIV
<b>PWID</b>	People who inject drugs
<b>PWUD</b>	People who use drugs
<b>SOP</b>	Standard operating procedure
<b>TB</b>	Tuberculosis
<b>UN</b>	United Nations
<b>UNAIDS</b>	United Nations AIDS Programme
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UORN</b>	Alliance for the HIV/AIDS prevention
<b>USAID</b>	United States Agency for International Development

## BRIEF REVIEW

Drug-related issues are serious social challenges inextricably linked to our times' main geopolitical and socio-economic realities. The drug policy in Eastern Europe and Central Asia (EECA) often does not solve the existing problems and does not bring the social dividends that this policy aims to. This is explained by several reasons, such as the lack of evidential base for the policy or pilot program results are not reasonably analyzed and considered available evidence and are not used in further policy development. It is also important that there are no adequate approaches or models that would help make the right decisions regarding drug-related problems, given that drug policy is often a politicized and ideological area.

Since 2013, the United Nations Office on Drugs and Crime (UNODC) has been implementing a program to increase the interaction between law enforcement agencies and civil sector organizations working to provide HIV services for people who use drugs. The UNODC held the educational events and thematic meetings, developed the guidance manuals, introduced additional courses into the training and professional advancement system for the employees in this field. The goal of this review is to identify the key barriers at the national and regional levels that inhibit communication between police and civil society and to improve collaboration for expanding access to referral schemes and HIV prevention services provided to the key populations (KP), including people who use drugs (PWUD), sex workers (SW), men having sex with men (MSM), and transgender people (TG).

A police referral scheme is an algorithm that allows police to offer to the people from KP participation in a program of health, social, harm reduction services and HIV/HCV/TB prevention and treatment, instead of punishment and detention. The scheme aims to reduce the number of offenses and provide an alternative to prosecution. In another version, the scheme allows persons released from the prison facilities to receive necessary medical, social or legal assistance to ensure the continuity of services and prevent the recurrence of criminal behavior. In recent decades, the cooperation development in the implementation of referral schemes and active involvement of the government partners have become an influential factor for HIV prevention and protection of KP against negative criminal impact. Despite many studies in this area, most of the sources do not contain an analysis of the regional referral schemes features that take into account the activities of law enforcement officers. This is especially true for the EECA region, where the experience of interaction between law enforcement agencies and non-governmental organizations (NGOs) on referral schemes remains insufficiently looked into.

The objectives of this report are to summarize the results of pilot police referral schemes for people who use drugs and people released from prisons in four countries (Belarus, Moldova, Ukraine, and Kazakhstan) and to develop recommendations on establishing a sustainable harm reduction mechanism based on the partnership of police, healthcare institutions, and civil society organizations. These recommendations will be taken into account in the UNODC' and partners' future activities in the above countries.

Not every experience of using such schemes in Belarus, Moldova, Ukraine, and Kazakhstan can be applied in other countries due to different drug strategies, specific legislation, and dissimilar approaches in solving emerging problems. At the same time, multi-stakeholder partnership positive practice of referral schemes use exists in the separate regions of Ukraine, Moldova, and Belarus, not countrywide.

For example, the project to expand the partnership between the police and NGOs in HIV prevention among KP in Poltava (Ukraine), launched under UNODC's support in 2016, has proved to be one of the most successful cases. The implementers have assembled a multi-sectoral team of like-minded persons with a deep understanding of society's problems. During the project implementation, the interaction between local authorities, police, and civil sectors showed stable and positive dynamics. The project is implemented with the direct participation of local administration and supported by the local budget. Nevertheless, this experience has not been extended to the entire country since each region approaches the same problems differently. However, the author is convinced that the obtained practice of interaction between the public authorities and society in Poltava can be applied on a wider scale.

In the Republic of Belarus, the Ministry of Internal Affairs and UNODC initiated a pilot project, "Partnership to improve access to HIV and other health and social services among people who use drugs and have problems with the law". The project was implemented in Soligorsk in 2017-2018 to provide services to ex-prisoners with related drug use disorders, demonstrated the relevance of the problem and successful line of action in solving it. For this category of people, assistance in returning to a full-quality life and solving medical, legal, and employment problems will significantly reduce the risks of crime recurrence. The experience gained in Soligorsk allows concluding that all project participants, including local administration, deputies, law enforcement agencies, and NGOs, have done a considerable amount of work. The project has shown its efficiency and good practical results over a short period but could not go beyond the initially designated life-term limits. The change of leadership in the administration and territorial IAA did not contribute to the project continuation because of the new heads of authorities' new priorities. However, the project developer has no doubts that the experience gained can serve as a basis for a national program.

The interaction between the law enforcement officers and NGOs in the Republic of Moldova makes it possible to efficiently solve the problems of maintaining public order and health care. The work of law enforcement officers is aimed at assisting people with drug use disorders and people living with HIV. To strengthen the role of the police in HIV prevention, with the assistance of UNODC, memorandums of cooperation with NGOs have been signed, and instructions and methodological recommendations have been developed. The search for new solutions is constantly being carried out to increase the efficiency of interaction between law enforcement officers, government agencies, and the civil sector. The interaction between law enforcement officers and NGOs is based on the Public Platform at the National Drug Agency, where NGOs are presented as fully active participants that allow them to assess the situation and effectively solve problems objectively. Such an interaction scheme is being implemented on the right bank territory of the country. Under the auspices of UNODC, the MIA and NGOs actively collaborate for HIV prevention among the key population groups on the left bank. Likewise, memorandums of cooperation have been signed, and guidelines regulating the interaction procedure between the police and NGOs have been approved. There regularly took place pieces of training and information campaigns. Regrettably, in this interaction are not included prosecutor's office, investigating, and justice authorities. An increase in the level of such interaction between all government bodies and NGOs would make it possible to achieve greater success in solving drug trafficking and HIV prevention problems.

The Republic of Kazakhstan has formed and uses a certain package of legal acts that regulate the activities of the internal affairs bodies implementing public policy countering the spread of drug addiction and in the sphere of harm reduction. Various programs are being implemented within the framework of international partnerships.

In 2015-2019, the UNODC, in collaboration with the Ministry of Internal Affairs, launched a pilot project referring people who use drugs to medical institutions when arrested or been at the stage of administrative or criminal proceedings in three Kazakhstani cities. This initiative aimed to reduce stigma and discrimination against people who use drugs and people living with HIV and strengthen HIV prevention. One of the main results of the pilot project was the development of a model document that will serve as a standard operating procedure for a police referral scheme. The document also contains a memorandum of understanding between the police and NGOs. The joint activities of NGOs and law enforcement agencies in the country are built on trust and principles of sustainable interaction.

In recent decades, the development of cooperation in the sphere of referral schemes introduction and active involvement of government agencies have become effective factors of HIV and crime prevention.

When preparing this review, the author has emphasized studying positive experience in the referral schemes arrangement (both at the international and regional levels), researching the possibility of its implementation at the regional level and highlighting the aspects of cooperation between the law enforcement agencies, civil society, and public organizations in the EECA countries. Successful application of international experience was studied as well. By analyzing the referral schemes practices in such countries, the author tried to identify the most vulnerable spots in the applicable schemes and explore the most promising areas of their development. This review also includes the proposals of further improvement and standardization of schemes and performance optimization, taking into account close cooperation between the law enforcement agencies and NGOs. Analysis of existing interaction experience and identification of most promising forms of cooperation can help determine the vector of development and harm reduction for various social groups and society.

## INTRODUCTION

Problems related to the use of illegal narcotic substances are growing in scale and constitute an exceptional threat. According to the World Drug Report, more than 35 million people suffer from drug-related disorders, while only one out of 7 receives necessary care and treatment. Moreover, there is convincing evidence that the costs of evidence-based prevention and treatment of drug use-caused disorders are far less than incarceration costs.

Public order maintenance in the region has become a key issue of the current political agenda. Moreover, several seemingly unshakable operational and behavioral stereotypes that society expects from police, police institutions, and police activity have been reasonably questioned.

For many people, a sense of safety is synonymous with a sense of home - the place where everyone is protected from harm and danger. When it comes to the public security concept, it includes various elements such as economic strength, solid and secure infrastructure, access to education, healthcare services, culture, and food. In a broader sense, the phenomenon of national security is understood as preserving sovereignty, territory, and the physical condition of people. From the medical context, health protection means adopting all measures to minimize morbidity and mortality and minimize the impact of diseases on the economic, social, and political stability of communities, nations, and transnational organizations. UN Security Council Resolution 1308 (2000) has placed HIV/AIDS at the center of the security-related debates, stating "... that the HIV/AIDS pandemic, if left uncontained, could pose a risk to stability and security".

At present, health is increasingly recognized as an important driving force and resource for social and economic security development. "Healthy urban environment" is now a favorite topic for the healthcare officials and politicians involved in the urban and rural administration.

One of the threats to national security is increased drug use, an increase in the number of people who use drugs, and the related risk of comorbidity disorders such as HIV, tuberculosis, viral hepatitis, and various mental disorders. Drug use is a complex social phenomenon. However, these complex issues are primarily of concern to the law enforcement agencies, public healthcare, social institutions, population, and the entire state. An equally important problem accompanying the drug-related issue is HIV prevention and treatment among KP. The response measures must go beyond the healthcare sector. It should be a coherent cross-sectoral approach to address social justice issues, human rights, and related stigma and discrimination. The response also applies to matters of public and personal safety.

Public order maintenance has always been one of the most important matters in the region and worldwide. There has never been a "golden age" in the relationship between police and community<sup>1</sup>. However, there are some examples of concerted public efforts by the policymakers at different levels to ensure collaboration between the law enforcement agencies and non-governmental organizations to broaden the range of joint actions to prevent HIV among people who use drugs. Such response measures aim to foster partnership between law enforcement bodies, healthcare services, and civil society organizations providing HIV-related and harm reduction services. Such efforts focus on collaboration, resource sharing, and shared responsibility. In this context, many law enforcement authorities worldwide,

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<sup>1</sup> D.J. McBarnet, 'The Police and the State: Arrest, Legality and the Law', in G. Littlejohn, B. Smart, J. Wakeford and N. Yuval Davis (eds), *Power and the State* (London: Croom Helm, 1978).

especially in the developed countries, have reconsidered their approaches to KP, mainly to people who use drugs and have introduced policies and programs that improve health outcomes. Within resources-related constraints of the country (such as human, financial, organizational), it is always reasonable and practical to use joint strategies and revise the competitive approaches. Consequently, health and safety depend on the strength of cross-sectoral partnerships and collaboration between all relevant authorities: police, health, and civil society. In this case, it is important to increase the role of law enforcement officers in health protection and promotion.

Historically, law enforcement agencies have always played a significant role in protecting and maintaining public health. There are many examples where the law enforcement bodies have shown strong leadership in the community to establish safer and healthier environments. For example, the law enforcement bodies are mobilized in floods and other natural disasters, including the spread of diseases such as SARS, avian influenza, or COVID-19. The role of law enforcement officials in many public health issues is also clear enough to comply with the public traffic rules and prevent road traffic injuries. The role of the law enforcement sector is evident due to the provision of harm reduction programs. However, the law enforcement agencies are not sufficiently integrated into the national plans and policies regarding harm reduction and HIV prevention programs among KP. They do not always understand their role in this important area.

The risky behavior of people who use drugs, including injecting drug use and contaminated injecting equipment, is an important route of transmission of HIV and other blood-borne diseases in many parts of the world. When performing their duties, the law enforcement officials who have frequent contact with KP are at high risk of acquiring hepatitis or HIV. Likewise, law enforcement officials can reduce the vulnerability to HIV infection for people who use drugs by supporting and ensuring their access to harm reduction and HIV-related services such as needle and syringe programs or opioid substitution therapy<sup>2</sup>. Therefore, law enforcement officials must be well aware of the efficiency of harm reduction programs and health problems among KP and understand comorbidities such as HIV, viral hepatitis, tuberculosis. They should also receive training on working with KP groups, including people who use drugs. Thus, the law enforcement agencies' culture, operating procedures, and practices can significantly influence the HIV epidemic in countries.

However, law enforcement agencies often face hard choices while selecting between their “responsibility” and the public's expectations of complying with drug laws while providing unhindered access to harm reduction programs. In this context, the role of law enforcement agencies can be determined as mediating effective control over the HIV-related problem. The law enforcement agencies are now seen as important partners and can significantly influence the spread of HIV among people who inject drugs<sup>3</sup>.

UNODC is the lead agency among the UNAIDS cosponsors in providing technical assistance to the countries in HIV prevention and treatment for people who use drugs and people in the penitentiary system. Based on its mandate and established working relationships with the country partners, UNODC is the natural and reliable partner for law enforcement authorities, prison administrations, judicial bodies and health authorities, civil society, and public organizations.

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<sup>2</sup>[http://www.unodc.org/documents/hiv-aids/publications/People\\_who\\_use\\_drugs/Target\\_setting\\_guide2012\\_eng.pdf](http://www.unodc.org/documents/hiv-aids/publications/People_who_use_drugs/Target_setting_guide2012_eng.pdf)

<sup>3</sup> [http://www.unodc.org/documents/hiv-aids/2016/Practical\\_Guide\\_for\\_Civil\\_Society\\_HIV\\_Service\\_Providers.pdf](http://www.unodc.org/documents/hiv-aids/2016/Practical_Guide_for_Civil_Society_HIV_Service_Providers.pdf)

Since 2013, to enhance the role of law enforcement officials in protecting public safety and public health, UNODC has been pursuing a long-term strategy to develop and strengthen partnerships between the law enforcement sector and other relevant sectors, including the public healthcare, social welfare, civil society organizations. The strategy aims to facilitate access to evidence-based healthcare and social services for people who use drugs and for people in prisons. In turn, this will help reduce crime levels and increase public confidence in the law enforcement bodies.

## MODELS OF INTERACTION BETWEEN LAW ENFORCEMENT AUTHORITIES AND CIVIL SECTOR

To make cooperation between law enforcement agencies and civil society sustainable, it is important to consider models and specifics of interaction, existing restrictions, and risk factors. Several interaction models can be distinguished over the EECA region, most relevant to paternalistic, partnering, and integrated project models with interaction based on operational procedures and regulations of the initiating organization<sup>4</sup>.

The paternalistic model is a linear type of interaction, where public authorities play the dominant role and often initiate certain programs. In this model, regulatory directives are handed down from “above”. At the same time, public organizations are provided with a certain freedom of action and various assistance in work arrangements (grants, municipal premises, venues for events, etc.). In this case, civil organizations and NGOs have undeniable advantages in applying their experience while using state resources. At the same time, the restrictions imposed by well-defined frameworks of interaction and subordination to a higher authority can also affect their work.

The partnership model means “equal” participation of two parties either within specific program frameworks or independently of each other. When using this model, activities are more independent, and a significant part of work can occur without coordination. At the same time, key decisions are made with the approval of all parties. In the context of the partnership model, government structures are often considered an important and influential tool for performing tasks where non-participation of these bodies is impossible or undesirable.

The integrated project interaction model may be used when law enforcement authorities and other government agencies closely cooperate with NGOs under various programs, including those initiated by intergovernmental organizations, including various UN agencies. Different configurations of member roles are possible in this model. For example, the initiating organization can lead and coordinate the participation of other partners, such as government bodies and NGOs. In contrast, these partners significantly contribute to the frameworks of the operational procedures. Such a model can be extremely efficient. However, certain risk factors could arise in the presence of three or more partners. If some participants fail to agree on a strategy and further actions, the program implementation may be jeopardized.

The availability and application of effective models can play a significant role in developing working cooperation mechanisms to reduce risks under complex inter-structural interactions and when working with government partners. The application of different models depends on certain projects and regional specifics, but the same models can be equally effective within one region.

The interaction between law enforcement authorities and NGOs has increased globally and regionally over the past decades<sup>5</sup>. Such cooperation is encouraged by a row of international and regional agreements, major of the UN Convention against Transnational

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<sup>4</sup> <https://core.ac.uk/download/pdf/80297168.pdf>

<sup>5</sup> [https://www.researchgate.net/publication/261403623\\_Global\\_Civil\\_Society\\_Dimensions\\_of\\_the\\_Nonprofit\\_Sector](https://www.researchgate.net/publication/261403623_Global_Civil_Society_Dimensions_of_the_Nonprofit_Sector)

Organized Crime, and protocols that emphasize government cooperation with civil society organizations in developing policies, programs, and other crime prevention measures.<sup>6</sup>

At the global level, the growing influence of civil society and its institutions became most noticeable in the 1990s, when the international non-governmental organizations began to provide significant support to the civil society organizations at the national level. This support consisted of strengthening the role of national NGOs that involved stimulation of dialogue and cooperation between the NGOs and public authorities, including the law enforcement agencies. Such interaction presupposed the development and implementation of policies, programs, and other measures strengthening cooperation between police and NGOs, based on the implementation of accountability and transparency principles through the participation of non-governmental organizations in ensuring public safety. Such initiatives have always been implemented in close collaboration with the local NGOs, police departments, and other local organizations. Several measures have been taken to increase the flow of information between the global and European civil society subjects and provide opportunities for their dialogue.

In 1997, Sweden became the first country in European Union to appoint an independent national rapporteur on trafficking in persons following the European Union's adoption of the Hague Declaration on Effective Measures to Prevent and Combat Trafficking in Women for Sexual Exploitation. This declaration recommends that all EU member states appoint national rapporteurs who should “inform the governments on the scope, prevention, and control of trafficking in women”<sup>7</sup>. When implementing the Hague Declaration principles, the National Rapporteur in Sweden is responsible for researching, monitoring, and analyzing the nature, condition, and extent of prostitution and human trafficking and all forms of sexual exploitation in the country publishing annual reports with detailed recommendations. In 2018, the Swedish government decided to amend the National Police Directorate Regulation to include a national rapporteur as a permanent function, with representation at the headquarters of the National Police Directorate. The full independence of the national rapporteur was retained together with the obligation to provide annual reporting and recommendations<sup>8</sup>. Since the establishment of the Swedish National Rapporteur's Office on Trafficking in Persons in 1997, the National Rapporteur has worked closely with Swedish civil society institutions such as the Institute for Feminism and Human Rights, as well as with the major non-governmental organizations fighting for women's rights, such as Swedish Women's Lobby and National Organization of Women's Shelters. Such cooperation focuses on the legislative reform and various policy aspects to prevent prostitution and human trafficking, implement measures to reduce the demand for sexual services, and provide direct support and shelter to the victims.

In another case, in Poland, the NGO status is regulated by the “Law on Public Benefit and Volunteer Work” adopted in 2003 and provided the expanded definition of NGOs as the organizations engaged in the public interest and charitable activities<sup>9</sup>. This document also establishes the place of NGOs in the Polish security system and determines the statutory objectives of non-governmental organizations in their cooperation with the Polish police. The policy developed according to this law opened up a communication space to ensure human

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<sup>6</sup> <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-r.pdf>

<sup>7</sup> <http://www.legislationline.org/documents/action/popup/id/8747>

<sup>8</sup> [https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/forordning-20141102-med-instruktion-for\\_sfs-2014-1102](https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/forordning-20141102-med-instruktion-for_sfs-2014-1102)

<sup>9</sup> <https://www.ekonomiaspoleczna.gov.pl/Public,Benefit,and,Volunteer,Work,Act,567.html>

rights protection at local and national levels in law enforcement agencies' criminal intelligence activities.

## OVERVIEW OF INTERNATIONAL EXPERIENCE OF POLICE REFERRAL SCHEMES

While reviewing international experience, the author selected some EU countries (Portugal, Czech Republic, Germany, Finland, and Denmark) and the United Kingdom as the examples of police activities within the police referral schemes, as they cover various populations - from more than 83 million people in Germany to smaller population size, such as (5.5 million) in Finland and (5.8 million) in Denmark. These countries also apply different referral schemes. Below is a list of similarities between Ukraine, Moldova, Belarus, and selected countries to compare.

The population of Ukraine is about 42 million people (2019), of England - about 56 million (2018). The population of Belarus (about 9.5 million people, 2019) is similar to the population of Portugal (about 10.3 million people, 2019) and the Czech Republic (about 10.65 million people, 2019). The population of Moldova is smaller (about 3.5 million people, 2018) that is comparable to the population of Finland (about 5.5 million people, 2019) and Denmark (about 5.8 million people, 2019). As of 2019, about 250,000 people in Ukraine live with HIV, the second-largest number in Eastern Europe and Central Asia. Many of these cases have been traced back to injection drug use as the cause of infection<sup>10</sup>. Similarly, before introducing referral schemes, Portugal had one of the highest rates of new drug-related HIV infections in the EU (around 2,000 new cases per day). In this regard, parallels can be drawn between Ukraine and Portugal. In Belarus, the prevalence of HIV infection among people who inject drugs is 25.1%<sup>11</sup>, in Ukraine 22.6%<sup>12</sup>, and in Moldova 13.9%<sup>13</sup>.

### PORTUGAL

In 1995, Portugal launched the project on “Assessment of drug addiction, consumption, and trafficking”. In 1998, the country began developing instructions and guidelines. As a result, all drug substances were decriminalized in 2001. The aim was to encourage people who use drugs to seek treatment without fear of prosecution and generally raise awareness. One of the key issues relating to the new drug legislation was the high rates of HIV infection through injection and other contagious diseases transmitted due to the use of non-sterile syringes.

Drug policy in Portugal consists of five elements:

- ✓ Prevention;
- ✓ Dissuasion commissions;
- ✓ Reduction of risks and harm;
- ✓ Treatment;
- ✓ Return to life, health, society.

Each district in Portugal has a commission that considers the administrative offenses of people who use drugs. The commission usually consists of two medical professionals and one legal expert. They analyze the situation and determine whether the case relates to personal drug use or drug trafficking. When making a decision, several points are taken into account. The first is which drug the person was using; the second is whether it was used in

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<sup>10</sup> HIV and Aids in Ukraine ([Ukraine | UNAIDS](#)), (last accessed 12 Nov 2020)

<sup>11</sup> Data Belarus([unaid.org.](#)) (last accessed 12 Nov 2020)

<sup>12</sup> [Ukraine | UNAIDS](#)

<sup>13</sup> Republic of Moldova ([unaid.org](#)) (last accessed 12 Nov 2020)

public or private space; the third is the status of a person who uses drugs (addiction or trade participation); the fourth is the frequency of use and, finally, personal and economic situation. In general, the committee is not empowered to prescribe treatment but can assist if needed. The total financial burden per person can vary from 25 to 530 euros. As a result, if a police officer encounters someone who uses drugs, such a person will not be arrested. As a rule, the police have the power to decide whether the drugs found are intended for personal use or whether they are intended for sale. In the first case, the actions described above are taken. In general, possession and use of drugs are becoming a low priority that allows the police to focus on the issues related to drug trafficking. As a result, the number of people living with HIV is gradually decreasing.

## CZECH REPUBLIC

In 1993, Czech Republic established Government Council for the Drug Policy Coordination to develop and coordinate policy on drugs<sup>14</sup>. In 2009, cannabis was separated from other illicit drugs, and more lenient penalties were introduced for personal drug use. For example, a fine of up to 550 euros without a criminal record allows a person to seek assistance without consequences. The mission of the Czech Republic is not to further harm people who use drugs with criminal punishment but to help them through harm reduction programs and the provision of healthcare services. This is performed by the coordinators in each region and NGOs closely collaborating with the government agencies. The government finances NGOs through a licensing system. In return, NGOs must guarantee the quality of their services to ensure a safe environment for those they are provided. Also, low-threshold service delivery centers have been established. In 2009, 4.9 million sterile needles were distributed to ensure a hygienic standard for injection drug use. As a result, the HIV infection rate is less than 1 percent, while the Czech Republic has the second largest number of people who inject drugs in the European Union.

The “more than a little” policy was introduced in the 1990s, meaning that if the drugs are found in small quantities, they are treated as intended for personal use, and therefore there is no prosecution. Like the Portuguese approach, the focus has shifted from the people who use drugs to the drug dealers and distributors. In addition, Czech anti-drug coordinators are usually people with experience in providing assistance and front lines work. They know that the police approach can be harsher than that of the doctors or NGO representatives<sup>15</sup>.

## ENGLAND

England is currently launching several pilot programs in its counties to use the referral schemes for youth. For example, in the Thames Valley, a scheme is being implemented targeting the people under 18 who use drugs and have been taken into custody with a small number of illicit drugs. The program is designed to help them by participating in discussion groups. The fines are not imposed for a second time. In this case, they receive more help and training on dealing with addiction and drug-related problems. However, this program is mandatory, and failure to appear may result in arrest. The main purpose of such a conditional release is to show that the problem must be solved fundamentally, not simply through punishment.

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<sup>14</sup> <https://www.vlada.cz/en/ppov/protidrogova-politika/government-council-for-drug-policy-coordination-72748/>

<sup>15</sup> A Balancing Act ([opensocietyfoundations.org](https://opensocietyfoundations.org)) (last accessed Nov 20)

Since 2019, the people who use cannabis do not have to be arrested, but they can also opt for treatment as a “pre-arrest” measure, thus easing tensions between the people who use drugs and the law enforcement authorities.

“As a part of a street pre-arrest scheme, the Thames Valley Police in Newbury are offering drug detainees the opportunity to benefit from rehabilitation and training services provided by the Swanswell charitable organization”. “I was told that if I did not participate in the event, I would be prosecuted”, says one of the service users. “They said that I have two options: either they will deal with you according to the criminal procedure or according to the harm reduction scheme”. He agrees that the choice was obvious.

In Windsor and Maidenhead, the Thames Valley Police are taking a slightly different approach. If a person is caught storing drugs for the first time, the police do not arrest him/her. The report is to be sent to the authorities if this person is detained in the future.

In 2020, the Durham and Bristol police announced a third approach to drug use decriminalization. Like the Thames Valley Police practice, the drug detainees are not arrested (saving valuable time focusing on other crimes). The offender is given a referral from the police for a 3.5-hour rehabilitation and training program, at the end of which he/she receives a certificate. In the case of success, he/she will be cleared of all current or past drug-related charges. The Bristol police said that about 80% of those detained took part in the program and avoided criminal charges.

Finally, England has introduced a deferred prosecution for misdemeanors that allows people to be included in the referral scheme before trial, including collaboration with a mentor to help with employment, education, etc.

## GERMANY

In 2012, Germany adopted the “National Strategy on Drug and Addiction Policy”<sup>16</sup> that consisted of four elements.

1. Prevention. First of all, prevention includes preventing any contact with drugs through the information sessions.
2. Counseling and treatment. Treatment should be available to anyone who wants to stop using drugs and cannot do it independently.
3. Harm reduction. The harm reduction procedure aims to help people who use drugs by offering clean, hygienic drug injection rooms and needle exchange programs.
4. Decrease in supply. In general, a person caught with drugs can be sentenced to up to five-year imprisonment. However, if a person is taken into custody with a small drug quantity, the German law enforcement authorities believe in “treatment instead of punishment”.

As for HIV and other contagious diseases transmitted due to injecting drug use, their rates declined steadily between 2000 and 2009, remained stable in 2010-2012, and began to rise again. Overall, about 5% of all HIV infections in Germany are caused by injection drug use. Germany has a needle and syringe exchange program, a home naloxone program, drug use facilities, and substitution therapy.

In 2007-2010, Germany launched the Early Intervention for Young Drug Users (FreD) initiative to support collaboration between various departments such as the healthcare authorities, community development workers, and the police. This initiative consists of

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<sup>16</sup> <https://www.drugpolicyfacts.org/node/1177>

interviews and an eight-hour group intervention to clarify the dangers of drugs and discourage further use. As a rule, the participants committed a crime for the first time, and this program gave them a chance to avoid being prosecuted.

## FINLAND

In 1997 Finland presented the “The National Drug Strategy”.<sup>17</sup> Since 2016, the strategy implementation action plan has incorporated the following approaches:

1. National drug policy coordination: together with EMCDDA and the United Nations, the Finnish government collects data to share it as soon as possible to ensure that every country can become familiar with the new regulations.
2. Prevention and early intervention: local police, parents, and community development workers provide young people with clear guidelines for preventing the temptation to use drugs that the schools and other educational institutions implement.
3. Combating drug-related crimes.
4. Drug treatment and harm reduction: the drug dependence treatment facilities assist drug users, families, and friends. The scope of support varies depending on the client's wishes.
5. EU drug policy and international cooperation.

The Finnish authorities offer rapid, anonymous HIV testing, referral to the treatment facilities and individual customer care, and provision of information and advice. As a part of the needle and syringe program, the country's authorities organized the distribution of sterile syringes, equivalent to approximately 350 clean needles for every person who uses drugs in 2017. Besides, one could buy the syringes and needles in pharmacies throughout the country without a prescription. Such an approach resulted in only ten new HIV cases among PWID.

Possession of any drug quantity is a crime and is punishable by up to six months' imprisonment. However, this can be avoided if the detainee is undergoing treatment offered by the law enforcement bodies. The referral schemes are provided to the repeatedly detained individuals with the drugs, even though they have undergone these programs earlier and were detained again due to drug-related crimes.

The role of the police is to prevent, investigate and solve drug-related crimes, while the community development worker's job is to take care of the individual. However, the Finnish authorities have concluded that closer cooperation between them is necessary to achieve success. For example, each school has its designated liaison officer to support the drug control efforts. The documents covering drug-related crimes at a national level are published, including the drug-related crimes, to make this topic more accessible to young people. The minors receive a verbal warning, not a criminal record. The Finnish police departments collaborate with the healthcare department to ensure early intervention and promote the so-called “motivational interviews” attended by the guardian, offender, community development worker, and police representative.

## DENMARK

The Danish drug policy focuses on the adolescents and young people who use drugs, as this is the group that suffers most from drug use. Therefore, drug prevention, health promotion, and early intervention initiatives are also implemented in schools. Young people

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<sup>17</sup> [https://www.emcdda.europa.eu/drugs-library/finlands-national-drugs-strategy-1997\\_en](https://www.emcdda.europa.eu/drugs-library/finlands-national-drugs-strategy-1997_en)

(aged 15-17) are treated differently compared with adults. For example, the Danish police do not arrest them and do not place them in custody. These persons are held in “surrogate detention” (placement in a special institution) in a serious crime. The police officers are obliged to notify the social service of the need to support this person and his/her family. The police officers are also involved in developing a “youth contract,” being a document designed to help a person stay committed to drug withdrawal and not continue criminal activities. It also includes a requirement to attend school, offers therapy and other assistance. In 2010, the Danish police were responsible for setting up the youth councils where the minor offenses can be discussed and analyzed. When it comes to the drug prevention procedure, the police often work with the schools and social services and the hospitals and local nightclub owners. In general, the Danish police are actively involved in rehabilitation institutions' work while offering guidance and participating in drug prevention programs that make them more accessible.

Like the police in Portugal and the Czech Republic, the Danish police also tend to focus on large-scale drug trafficking rather than personal use while practicing a case-by-case approach. The police officers seem to be more lenient on cannabis, only imposing fines of up to €269 on first-time offenders. However, in the case of multiple arrests, the penalty could be imprisonment. In 2012-2016, only five percent of those detained were sentenced to imprisonment.

## EECA REGIONAL OVERVIEW

### REPUBLIC OF BELARUS

Based on the National drug policy, the country has taken a wide range of measures to counter drug trafficking and implement demand reduction. The measures include preventing the spread of new psychoactive substances (NPS), reducing the number of deaths by overdoses, and the number of people who use drugs, primarily minors.

One of the priority tasks for the internal affairs authorities is identifying crimes in drug trafficking and the persons who committed such crimes. At the same time, law enforcement agencies pay more and more attention to drug addiction prevention to rehabilitate and socialize this category of citizens, help them return to a full social life, reduce harm, and prevent drug use.

To achieve the set goals, Belarus initiated activities on interaction with the international organizations. In 2015, under the auspices of UNODC, the professional advancement course was held on the topic “Harm reduction and HIV prevention among people who use drugs”. As a result, an instructional program was developed for law enforcement officers who work with PWUD.

The Ministry of Internal Affairs interacts with healthcare organizations and organizations involved in the non-medical rehabilitation of PWUD. This activity in the country is represented by various rehabilitation centers, public and religious organizations.

The first comprehensive plan of actions aimed at taking effective measures on countering drug trafficking, preventing drug use, including among children and youth, and social rehabilitation of PWUD was drawn up at the country level. For certain activities, NGOs were designated as the co-executors along with numerous public authorities. The Ministry of Internal Affairs was appointed as the coordinator for all public authorities (organizations) to combat drug trafficking.

Under the Ministry of Internal Affairs initiative, financially assisted by UNODC and in cooperation with the public organizations, there was established and efficiently operates based on the Public Institutions “Minsk City Center for Social Services for Families and Children” an integrated information resource “POMOGUT.BY”. This project aims to unite the efforts of the state and civil society on a common platform to make the necessary information available and demanded. The project combines three sectors that have separate branches (websites) each.

Since 2017-2018, the Ministry of Internal Affairs, in collaboration with the UNODC, has implemented a pilot project, “Partnership to improve access to HIV infection and drug addiction prevention and treatment services, and prevention of breakdowns and delinquency among people who use drugs and have problems with the law” in Soligorsk. Within the framework of the project, the round tables and training seminars were held, attended by the specialists from various fields of activity: MPs, representatives of the Soligorsk regional executive committee, the prosecutor's office of the Soligorsk region, the Ministry of Internal Affairs, Minsk Regional Clinical Center of Psychiatry and Narcology, central regional hospital, narcological service, center of hygiene and epidemiology, public and religious organizations, as well as journalists.

The pilot project aimed to ensure continuous access to medical and social services for PWUD and people released from prison. Such services included HIV prevention and treatment, recidivism and delinquency prevention, legal aid, and employment assistance. The counterparts established cooperation between law enforcement agencies, specialized medical and social services, and NGOs in assisting ex-prisoners with drug use-related disorders. The working group was established to develop and implement a referral scheme for PWUD (the resolution of Soligorsk District Executive Committee approved its composition and working schedule). The City administration allocated funds from the local budget to pay salaries of the community development worker who provided social support to PWUD released from prison.

The project has been implemented under the supervision of the Penal Enforcement Inspectorate of Soligorsk District Department of Internal Affairs within rather a short-term period (2017-2018) and provided the following medical and social services for ex-prisoners:

- 12 job fairs were held: 157 people applied;
- 85 referrals to various organizations for employment were issued;
- Nine people refused to be referred for employment;
- 63 people are employed;
- The employment procedure was explained to 92 people;
- 59 people were redirected to the territorial center of social services for the population to receive legal advice and psychological aid;
- Three people received assistance in the territorial center of social services for the population in the form of food and personal hygiene facilities;
- 54 people were referred to the medical institution for medical examination;
- 18 people were referred to the Department of Labor, Employment and Social Protection of Soligorsk District Executive Committee for refresher courses;
- Assistance in the form of food and personal hygiene facilities has been provided to some individuals.

Based on the data obtained, it can be concluded that the project was successfully implemented. However, despite the positive results, it was not possible to ensure its extension for several reasons. In particular, the change of both the head of administration and the police officer responsible for the project led to the loss of funding and the impossibility of its further functioning. However, it is planned to use the acquired experience within the framework of the state healthcare program countrywide.

## REPUBLIC OF MOLDOVA

In the Republic of Moldova, illicit drug trafficking is one of the pressing problems of public health and sustainable development of the country. In this regard, the activities to prevent negative impact on KP are among the priorities for the law enforcement agencies to reduce harm and prevent HIV spreading. As a part of the state drug policy strategy, the legislative reforms and introduction of best practices are being performed.

One of the most significant changes in the drug trafficking legislation was the amendments to the Criminal Code in 2008/2009, following which the order of applying criminal and administrative punishment was changed. New provisions were determined following the recommendations of the Council of Europe and other expert bodies. The main goals of amendments to the criminal legislation were to revise the use of imprisonment, the level of punishment and eliminate the concept of a second offense against PWUD. In 2008,

the parliament also adopted Probation Law (Law No. 8 dated February 14, 2008) that allowed an individual approach to be applied when considering applying punishment related to the narcotic substances and precursors.

In 2019, the Republic of Moldova applied several programs for harm reduction and prevention of drug addiction, operating within the framework of the National Probation Inspectorate of the Ministry of Justice of the Republic of Moldova<sup>18</sup> and following the national drug control strategy for 2020-2027<sup>19</sup>, including:

- PRAS Psychoactive Substance Abuse Reduction Program (69 people involved);
- “Motivation for Changes” internship program (139 PWUD participated);
- One-on-one individual counseling program for people who have committed crimes (36 PWUD participated);
- Training on the release of persons serving the sentences of imprisonment (93 people participated).

At the same time, systematic assistance was provided to PWUD and persons belonging to KP in such areas as participation in the probation programs, referral to the national employment agency, orientation and motivation of PWUD for treatment in the specialized medical institutions, referral of people to the funds helping PWUD and mental health centers.

Law enforcement officers play a special role in the implementation of applicable programs. However, the lack of national probation inspectorate staff trained in drug addiction is a significant constraint affecting the implementation of probation programs. The National Probation Inspectorate has taken several measures to address this issue, including “external” partners involved in developing programs and interventions to prevent recidivism<sup>20</sup>.

Another significant problem in countering drug trafficking is the rapid change in the drug market, distribution methods, and massive transition of criminal groups to the digital space. In this regard, the constant professional advancement of personnel and rapid development of strategies is not a privilege but a vital necessity. In 2015, methodical instructions for police participation in the prevention and control of HIV spreading among KP were developed with the assistance of UNODC, Open Society Foundation, and the Union for HIV/AIDS prevention (UORN) in Moldova. Later, a seminar was held on “The role of the police in HIV prevention among the key populations”. Based on the seminar results to close the existing gaps and improve law enforcement efficiency, a strength-weakness assessment of the current drug trafficking prevention strategy was accomplished with the subsequent development of short- and medium-term action plans. An emphasis was also placed on the lack of specialists who could provide training on HIV, tuberculosis, and drugs, thus confirming that the problem has systematic nature as a similar situation existed in the national probation inspectorate in 2019. Under the National Anti-Drug Strategy for 2020-2027 and New Counterdrug Plan for 2020-2021, a meeting of the National Anti-Drug Commission, including the general police inspectorate, was organized in 2019 to counter the threat and reduce the supply at the illegal drug market. Within the framework of this event, several conferences and seminars were held, including a conference dedicated to the European Union (EU) project on tracking and preventing illegal drug trafficking via the Internet, international conference “Drug policy and its implementation by replacing the punishment with the measures alternative to

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<sup>18</sup> Ministry of Health, Labour and Social Protection, Republic of Moldova, “Consumul Și Traficul Ilicit de Droguri Raport Anual 2019”, available at: [https://msmps.gov.md/wp-content/uploads/2020/12/Raport\\_anual\\_2019\\_OND.docx](https://msmps.gov.md/wp-content/uploads/2020/12/Raport_anual_2019_OND.docx)

<sup>19</sup> <https://www.legis.md/cautare/downloadpdf/121214>

<sup>20</sup> Ibid

imprisonment for people who use psychoactive substances”, international seminar “The role of police in drug prevention”, event organized by the POMPIDOU Group in cooperation with the Polish Drug Prevention Office and the RES HUMANA Foundation, international conference on drug policy organized under the auspices of the UNODC, training course with simulated Darknet organized by the European Monitoring Center for Drugs and Drug Addictions under the EU4Monitoring Drugs project, working session on the presentation of the UNODC project on “New instruction on police involvement in the HIV prevention and control in key populations”, seminar on “Measures alternative to imprisonment related to drug use”, event organized by Moldova UORN and supported by the SOROS Foundation in Moldova, meeting to provide UORN with information on the analysis of the legislation of the Republic of Moldova by an international expert in order to develop a concept for the alternative options in the case of punishment for drug-related crimes.

Thus, despite the existence of national strategies, programs, and legal acts allowing their efficient implementation, it is necessary to understand that their successful implementation requires not only clear and coordinated actions at the national and regional levels but also systematic adherence to current trends and constant professional advancement due to the speed of changes in the regional drug situation.

## REPUBLIC OF KAZAKHSTAN

Various legislative and policy reforms are underway in the Republic of Kazakhstan, including reforms of the penitentiary system, judicial, drug control, and health care systems. These changes pave the way for effective interaction between law enforcement agencies and the civil sector to strengthen public health.

Within the framework of the UNODC Program for Central Asia for 2015-2019, the pilot project was initiated in three participating cities: Pavlodar, Temirtau, and Ust-Kamenogorsk. These cities took part in referring PWUD to the medical institutions at the stage of arrest or administrative or criminal proceedings stage. This initiative aimed to reduce stigma and discrimination against PWUD and people living with HIV and strengthen HIV prevention. At the beginning of this initiative, it was important to study the legislative environment and law enforcement practices in Kazakhstan, including those that would hinder the development of the Pavlodar project, Temirtau Ust-Kamenogorsk.

To ensure a deeper understanding of the need for partnership and the role of law enforcement agencies in HIV prevention, 12 training/educational events were organized for 20 representatives of NGOs. The NGO representatives were trained on the algorithm for establishing a long-term dialogue between the police and NGOs to provide HIV services, planning, monitoring, and evaluation. They also got acquainted with the procedure for solving problems during joint activities of NGOs and police based on Kazakh laws and policies. There took place also a detailed discussion of the standard operating procedure (SOP) and its application in situations that could most likely appear in the process of NGOs-police cooperation.

One of the main project outputs was drafting a model document to be used as the standard operating procedure for the harm reduction scheme that contains a memorandum of understanding between NGOs and police.

There were held meetings with the representatives of local police, probation service, IAAs, AIDS centers, and drug abuse clinics, with the discussion of the draft police referral schemes; were organized and conducted lectures of the substance abuse professionals and

epidemiologists for the police officers, and two-day training on occupational health and safety, harm reduction and HIV prevention among PWID with the participation of chiefs, deputy chiefs and inspectors of the probation service, chiefs, deputy chiefs and district police officers of the local police departments, chiefs, deputy chiefs and employees of the Drug Enforcement Agency of the Department of Internal Affairs in Temirtau, Pavlodar, and Ust-Kamenogorsk. More than 150 police officers from the probation and patrol agencies took part in the set of training.

Based on the results of this work, the following recommendations were elaborated for further training and cooperation with the police:

- Consider the possible formation of a leading group consisting of NGO representatives, senior police officers, local partner organizations (AIDS center, treatment facility, tuberculosis clinic, social support services) for holding regular meetings to address current issues. The Frankfurt method can be a good example when the local mayor's office, police, NGOs, and social services agreed to hold weekly meetings to address police referral schemes.
- Consider the possible establishment of direct phone-call-contacts between the NGO leaders and heads of the local police departments to ensure the most expeditious way of resolving emergencies and situations related to the harm reduction scheme implementation.
- To consider possible conduction of the regular information briefings by the NGO employees for the police officers within weekly training sessions. Such information briefings can provide a good opportunity to inform the police on the specificity of work with PWUD and ensure full contact between the NGO and police officers.
- To consider the possible provision of the police officers and their supervisors with information regarding the referral schemes. This may include success stories and real-life hardships endured by people with drug addiction on their way to recovery. The stories can also include information from the international partners on mainstreaming human rights in drug policy, drug abuse prevention and treatment, and developing innovations in the law enforcement sector.
- To expand the referrals partner network and consider the participation of the human rights defenders, local educational institutions, and local business people related to the referral schemes to provide as many referrals as possible to meet a wide variety of client needs.

In 2020, NGOs signed memorandums of cooperation within the framework of police referral schemes with the national probation service (Almaty and Temirtau), the Drug Enforcement Agency of the East Kazakhstan Province Police Department (Ust-Kamenogorsk), and the local police department (Pavlodar).

## UKRAINE

Since 2011, the UNODC has provided technical assistance in several areas, including cross-sectoral partnerships, in Ukraine. As a part of the UNODC country program, a series of activities were implemented: models of interaction between the law enforcement agencies and public organizations in HIV spread among PWUD prevention were developed in 2015. In 2016, training modules were developed, and 17,000 police officers were trained to enhance their role in implementing HIV/AIDS prevention programs at the local level. Pilot projects were introduced to strengthen cross-sectoral cooperation, including police participation in the implementation of HIV prevention programs among KP at the local level (in Kyiv, Kharkiv, and

Poltava in 2016), in other regions of Ukraine (Odesa, Kryvyi Rih, Kherson, Nikolaev, Sumy in 2018).

It is necessary to note that the project launched in Poltava in 2015 aimed to strengthen the role of police in countering HIV/AIDS spread at the local level and developing interdepartmental cooperation in this area. The priority task for this project implementation was the establishment and development of the cooperation mechanisms for the local law enforcement agencies and public organizations providing services related to HIV spread prevention, as well as the adoption of measures aimed at the regulatory legal support, establishment, and control of cooperation mechanisms between the law enforcement agencies and medical and social services, public organizations, other medical and social institutions and entities to provide a range of services to prevent HIV/AIDS spread; development and testing of the training modules and professional advancement for the specialists for efficient implementation of the cooperation mechanism. The main objectives of this project were the introduction of a mechanism of the interdepartmental interaction between territorial bodies of the Ministry of Internal Affairs, penal enforcement inspectorate, medical institutions, and NGOs to ensure access for PWID and their families to prevention, treatment, care, support, and social assistance services, as well as the establishment of an efficient crime prevention system for PWID, their social adaptation, and reintegration while minimizing the use of punitive and coercive measures.

In turn, the objectives of the project executor included enhancement of the role of police in response to the HIV/tuberculosis epidemic, adoption of measures aimed at reducing the level of PWID criminal activity, reduction in the HIV/tuberculosis spread rate among the PWID, ensuring the person-oriented work with the target group representatives to promote the prevention, diagnostics, and treatment of socially dangerous diseases, and also the development of the interaction algorithms for the specialized medical institutions (drug abuse clinics and tuberculosis dispensaries, AIDS center), social services and NGOs to provide PWID with the access to a full package of medical and social services.

Noting certain positive aspects of the project implementation that could form the basis of further extension of experience in various Ukrainian regions and ensure effective cooperation of the law enforcement agencies with NGOs, organizations providing medical and social services, social institutions, and entities to prevent HIV spreading among KP and their immediate environment, it is necessary to focus on certain restrictions that existed in the period of its implementation and allowed not timely and fully implement its priority tasks. Among these limitations, it is necessary to note the imperfection of the legislative environment giving no solid ground for the inclusion of law enforcement officials into the system of HIV prevention services, harm reduction programs, mechanism of referring KP representatives, in particular PWID, to NGOs to receive medical and social services; inconsistency in the system of cooperation of police and organizations providing HIV prevention services; long-term reform of the MIA system and inconsistency in the appointment of the police executive personnel at local levels; lack of previous experience of interaction between the law enforcement officers and specialists from NGOs and medical and social organizations to provide social support to KP; complicated joint work of the police officers and NGO specialists; lack of unified training programs for the law enforcement officials in the field of work with KP who are vulnerable to HIV, in particular PWID.

Results of the implementation of activities informing, motivating, and referring PWID to involve them in the system of HIV prevention, diagnostics, and treatment services under the pilot project, as well as the closer cooperation between the territorial bodies of the MIA

of Poltava region, dispensaries, and clinics, medical institutions, and NGOs in this area have shown the efficiency of the pilot project and confirmed its success at the local level.

Based on the experience gained and to ensure a sustainable partnership between the law enforcement authorities and NGOs in the field of public healthcare, UNODC, together with Kharkiv University of Internal Affairs and representatives of NGOs, developed in 2020 an “Instruction on organizing activities of the bodies of National Police of Ukraine in interaction with the civil society when informing KP about HIV related risks” and a Draft Order on the introduction of this Instruction into the system of the Ministry of Internal Affairs and seven academic universities of the Ministry of Internal Affairs. This document has passed the final stage of approval by the Ministry of Internal Affairs of Ukraine and will be published and implemented in 2021.

The Instruction determines the following main tasks and operating procedures for the activities of the National Police and territorial bodies, ensuring the awareness of the representatives of KP:

- establishment of the regular communications with the society, development of the permanent data collection mechanisms concerning the services and contact details of the specialized institutions on the territory of the community that can provide services to the designated persons;
- professional advancement of the personnel in the field of HIV prevention and treatment programs, knowledge of the services of specialized institutions working with KP;
- ensuring that the representatives of KP are informed about the services of specialized institutions;
- implementation of systematic monitoring and evaluation of ongoing activities.

The Instruction determines the algorithm of interaction with the population. The heads of territorial subdivisions are assigned a key role that improves the efficiency of communications and execution of the Instruction.

The development of the Instruction and implementation of the relevant order seems to be a breakthrough in the interaction between the law enforcement agencies and the civil sector in Ukraine. This initiative ensures the sustainable institutional operation of the referral schemes based on efficient partnerships.

## CONCLUSION

The prevention of HIV infections is the most essential and urgent, primarily for the representatives of KP (people who use drugs, sex workers, MSM, transgender people, people in prisons.). Therefore, the inclusion of law enforcement officials into the system preventing HIV among the representatives of KP is most important since these officials are in direct contact with them and can decide whether to initiate a harm reduction program. In turn, successful implementation of efficient prevention actions among KP will prevent the spread of the HIV epidemic.

Reconsideration of the public healthcare and safety approaches and the relations between the law enforcement authorities and civil society will maximize the available resources, employment, and subdivision of responsibility of those involved to establish an improved interaction model.

Reviewed pilot models of the police-NGO interaction (referral schemes) are worthy examples of sustainable partnerships. Depending on the context, they require additional resources and technical assistance, especially for the national policy reforming and development of police procedures and instructions. The resources required will be rather small compared to the total budgets of local government and healthcare agencies at the national level, emphasizing the cost-effectiveness of partnership development. The model can be scaled up to the national level. The resources should not come from the international funding mechanisms for HIV/AIDS programs but should be a part of a complex program of the law enforcement sector reform based on the human rights principles and UN recommendations.

## RECOMMENDATIONS

The best policies and practices of law enforcement agencies of the developed countries encountering the spread of HIV are determined by the legislative enactments of the state and local level, the body of norms and rules, standing instructions, regulations, statutes, individual instructions, and directives, as well as by the training programs and materials.

All programs applicable in these countries regardless of their legal status, administrative subordination, and form of financing are used within the strict framework of this system of regulatory documents that clearly and explicitly describe their rights and obligations, as well as the nature and forms of cooperation with other programs, government agencies and departments at various levels.

This work arrangement order seems optimal for the countries where the main work on providing prevention, treatment, and social assistance services to PWUD is carried out and financed by the state.

In the EECA countries, the implementation of such programs requiring a high degree of regulation in the conditions of limited resources is hampered by the need for large-scale changes in the country legal framework, development of a large number of by-laws, and establishment of the new structural subdivisions in several government departments at various levels. All this requires lots of administrative resources, time, and significant financial investments.

Of great interest is the MIAs' practice of preparing departmental policy documents such as HIV prevention and harm reduction programs. These documents stipulate the forms and methods of interaction with other concerned partners. They can be used as the basis for developing service instructions governing the police work while contacting harm reduction programs. The documents especially consider the discretionary powers. The discretionary approach in the areas of syringe exchange and safe injection site location implies caution and discretion in police procedures. Without detriment to the day-to-day public order protection duties, it helps avoid excessive pressure, site intrusion, patrols, searches, and arrests to not push away the NSP clients and not interfere with the successful program operation.

The proposed recommendations for strengthening the role of government agencies, law enforcement bodies and judicial authorities in countering HIV and in the development of intersectoral interaction in the EECA countries can be divided into several levels:

### At the country level:

- ❖ To initiate with the involvement of NGOs, the development and adoption of a comprehensive state anti-drug program (strategy) would determine the public policy in the field of harm reduction and designate the ministries and departments responsible for its implementation.
- ❖ According to which NGOs being selected on a competitive basis could receive funds to implement a public program aimed at prevention, rehabilitation, and resocialization within the framework of state anti-drug programs, to provide regulation on the state social services commissioning, NGOs being selected on a competitive basis could

receive funds to implement a public program aimed at prevention, rehabilitation, and resocialization of PWUD and previously convicted persons.

- ❖ To improve anti-drug legislation.
- ❖ To strengthen the role of key government sectors - healthcare, law enforcement, and judicial - while aligning the policies, strategies, and practices with the international evidence- and human-rights-based, gender, and age-sensitive approaches to increase the efficiency of HIV and drug addiction spread prevention measures.
- ❖ To systematically introduce evidence- and human-rights-based drug dependence treatment services as described in the International Standard on Drug Use Prevention and the UNODC-WHO International Standards for the Treatment of Drug Use Disorders.
- ❖ To perform quality evidence-based drug use prevention to avert initiation of drug use and other risky behaviors.

#### At the level of the investigative bodies of the Ministry of Internal Affairs:

- ❖ To develop and approve an instruction (order) for the Ministry of Internal Affairs employees on the role of law enforcement agencies in HIV prevention and the field of public healthcare.
- ❖ To develop and approve instructions for the police officers on HIV, viral hepatitis, tuberculosis prevention among the police officers at the workplace.
- ❖ To develop methodical recommendations on preventing HIV/AIDS and other socially dangerous diseases while performing official duties and their introduction into the training process of higher educational institutions of the Ministry of Internal Affairs.
- ❖ To ensure the inclusion of instructions on prevention of HIV infection among police officers when interacting with risk groups into the training program for students and professional advancement courses.
- ❖ To develop the teaching aids on the theory and practice of harm reduction and introduce them into the training process of higher educational institutions of the Ministry of Internal Affairs.
- ❖ To ensure conducting seminars on the study of instructions for employees of city district departments of internal affairs. To form a group of seminar trainers and facilitators from among the specially trained police officers, representatives of NGOs, and KP.
- ❖ With the help of public organizations, to conduct training for the teaching staff of educational institutions of the Ministry of Internal Affairs on preventing HIV, viral hepatitis, tuberculosis at the workplace.
- ❖ To publish regularly the materials on theory and practice of harm reduction, on HIV infection prevention, including the articles of contagious diseases specialists, legal experts, and police, to meet the police officers' educational needs in the departmental newspaper of the Ministry of Internal Affairs.
- ❖ To conduct classes for the field services of law enforcement agencies that directly contact various categories of citizens to inform on the security measures and public service providing NGO activities.
- ❖ To explore the possibility of recording and sharing publicly available audio and video materials with the participation of the Ministry of Internal Affairs executives and its key subdivisions and the most famous and authoritative employees.

- ❖ To develop instructions and methodical recommendations subject to the legislation for various agencies, prepare prevention videos and legal framework regulating the Ministry of Internal Affairs activities in this field. To develop evaluation criteria.
- ❖ In the EECA countries, establish an information platform for the police officers to exchange experience and study best practices.
- ❖ To share the thematic text, audio, and video materials about the best examples of interaction on departmental information websites to improve the image of the Ministry of Internal Affairs.
- ❖ Such recommendations can be used for judicial bodies, sentence enforcement, and those who work with the convicted citizens.

#### Courts:

- ❖ Drug court is an opportunity to redirect an offender to a program through judicial proceedings. The sentence is either suspended or not pronounced, and the offender is sentenced upon completion of the program. If it is completed successfully, he/she will likely receive a non-jail sentence. The policy of using drug courts is determined at the legislative level. The world practice in this area is rather wide. The use of such practices will make it possible to pass more humane and adequate sentences systematically.

#### The role of lawyers:

- ❖ The important practical activities include the interaction of NGOs, civil society with the lawyer community since the practice shows that the involvement of a lawyer gives more chances for obtaining high-quality legal advice in administrative or criminal proceedings.
- ❖ The defense strategy competently structured by the lawyer presupposes observance of all legal rules and the use of all practices to secure the defendant's rights.
- ❖ To raise awareness of the lawyers, it is necessary to conduct joint training with various authorities to discuss the applicable harm reduction practices. Such meetings would make it possible to build up law enforcement practice and timely resolve the existing legislative problems.

#### Local administrations:

- ❖ Taking into account the EECA region positive practice of the interaction of local self-government bodies with NGOs and civil sector in resolving issues of resocialization and prevention of drug trafficking, to hold meetings of the heads of regional administrations to exchange experience and best practices that will efficiently and timely resolve emerging issues in this area.
- ❖ At the suggestion of concerned administrations and under the auspices of UNODC, to organize a partnership between twin cities.

#### At the level of public organizations:

- ❖ According to the memorandum of cooperation, to ensure that the employees of the internal affairs authorities are informed about the ways of HIV transmission, HIV prevention, and new preventive measures.
- ❖ To place information materials on the activities of NGOs and public organizations on the websites of public authorities. To conduct a constant exchange of information.

- ❖ To develop and send the work schedules of stationary and mobile service points for the representatives of KP (syringe exchange points and mobile outpatient clinics) to the local administrations and internal affairs authorities to coordinate activities and facilitate access of KP to the services (implementation of the discretionary police activities).
- ❖ To regularly notify the regional coordination councils on HIV counteraction about the scope and nature of services provided under the approved standards of harm reduction services.
- ❖ To take an active part in the formation of state and local drug policy.

#### At the level of international organizations:

- ❖ To perform a systematic review, monitoring of drug policy and interaction of law enforcement agencies, government authorities with NGOs, and the civil sector at the national level to develop recommendations for efficient planning of drug addiction prevention and treatment.
- ❖ Оказание поддержки странам ВЕЦА в расширенное сотрудничества на региональном и международном уровнях.
- ❖ To provide support to the EECA countries in enhanced cooperation at the regional and international levels.
- ❖ To provide technical assistance to the EECA countries in augmenting capacities to develop the government agencies' professional skills, law enforcement bodies, NGOs, and public organizations.
- ❖ To assist in developing, replicating, and distributing training and educational materials for law enforcement officials, representatives of KP, and the general population.
- ❖ To assist in the development of monitoring and quality control standards and indicators for the activities performed by the law enforcement officers for countering the spread of HIV/AIDS.
- ❖ To consider the possible organizational and guidance support for the civil sector, legal assistance in providing social support services to the representatives of vulnerable groups.
- ❖ To develop an information resource (mobile application) that allows increasing information exchange at the interstate and regional levels on the nature of services provided between the UNODC, NGOs, healthcare, and law enforcement agencies to ensure professional assistance for various citizens in need.