

CHARTER on Aids & Rational Policies on Drug Addiction

This Charter, prepared in 2006 by LALIT in collaboration with others, was signed by 10 organizations, popularized amongst people with Aids and with addiction problems, and submitted to Government and all those working in the field. It contributed towards changing the mainstream ideas on the issues.

Given that we all live in society together, and that we all want a good, healthy life that we can lead in peace and liberty, all of us and our children, and noting,

That in the past the very measures aimed, often in good faith, at repressing drug addiction have become part of the system that perpetuates & aggravates the drug problem,

That the serious viral infection Aids is on a sharp increase in Mauritius, and is being passed on at present mainly by the sharing of intravenous syringes, an eminently preventable form of transmission; & that it is spreading fast in prisons,

That the sex trade exposes its workers to the virus through both unprotected relations and frequent intravenous drug use, & that this has a multiplier effect on the spread of Aids;

That unprotected sex, in general, exposes people to getting Aids,

That many substances, whether legal like alcohol, tobacco, prescription drugs, or ordinary commodities like glue, or illegal narcotics like heroine, are all causes of health problems and addiction; that addiction can also occur to practices like gambling,

That people do not take harmful drugs just because they are “there”, but for other fundamental reasons, which need to be addressed by all of us in society, whether it be unemployment, lack of a vision of the future, unhappiness, insecure work, a quest for pleasure, boredom, gullibility, ignorance or a mixture of any of these,

That once someone is a hard drug addict, thus dependent on a substance, s/he is best considered by society as being “ill” because s/he has in fact become physically ill,

That once someone is a hard drug addict, it costs more per day than he or she can earn from any ordinary job, to acquire the black market drugs to keep pain at bay, and this can convert ordinary addicts into drug “pushers” who, in turn, draw others into drug use and/or into prostitution,

That repression has the direct effect of increasing the size and strength of a dangerous Mafia, and that a Mafia is, by definition, an interface between the criminal underworld and the Establishment,

That the prisons are overcrowded and in perpetual crisis,

That the continued criminalization of relatively mild drugs like gandy, which have been used for centuries in Mauritius, tends to put even occasional soft-drug users into contact with the Mafia which pushes syringe drugs,

That dealers prefer clients addicted to hard drugs to clients occasionally using marijuana as a social drug because of the regular and high profits in hard drugs, so they have a vested interest in pushing hard drugs,

That the continued illegality of marijuana makes social drug users fall prey to law-enforcement officers who are often violent, and this continued illegality then becomes a direct cause of police harassment of young people, which, in turn, is the cause of extreme resentment and anger, that in February 1999 brought a rebellion after Kaya’s death in police cells,

That wherever alcohol problems are dealt with by banning alcohol altogether, hard drugs and syringe drugs tend to proliferate,

We, therefore, support the following Charter, which holds that:

The government should continue with its new policy of using methadone, and other substitution drugs, in the treatment of addiction to opiates amongst drug-addicts who voluntarily come to centres,

That syringes should, as PILS proposes, at once be decriminalized and no longer considered “drugs paraphernalia”, and be made available routinely to addicts, including those in prison, on the grounds that addicts are ill,

That addicts in general be treated not as criminals but as people who are suffering,

That prisoners who have been tested HIV positive should no longer be ostracized,

That the best available treatment should be given to everyone who is HIV positive,

That prisons should become places for rehabilitation,

That gandy should be decriminalized i.e. no-one be harassed, arrested, charged nor imprisoned for possession or use of the drug,

That remand prisoners on minor drug charges be released on parole as proposed by the National Human Rights Commission, thus, inter alia, relieving over-crowding in jails,

That, similarly, all those in prison for drug-use be granted an amnesty as proposed by JUSTICE, on condition, if they are still opiate addicts, that they sign up for methadone treatment, with a view to later kicking the habit,

That remission for good conduct be re-introduced at once for all prisoners as proposed by the Minister of Justice, Prison Commissioner and NHRC,

That drug-use and abuse be controlled through the age-old methods of ordinary social control, and not through repression, which does not work and which gives the police far too much arbitrary power over citizens,

That people, including children, be informed in a rational way of the dangers of all substances, whether prescription drugs, ordinary but potentially very harmful commodities like glue, harmful substances like alcohol, gandy, cigarettes, and be informed of the addictive nature of other activities like gambling,

That under-age children no longer be drawn into activities that involve gambling,

That condoms be made easily and anonymously available (including in prisons) and that, as the women's movement proposes, their universal use be encouraged,

That repression no longer be resorted to as a "solution" to the drugs problem, but be exposed for what it actually is i.e. an additional problem, which at best does nothing to decrease drug abuse, and at worst strengthens the Mafia; that the Mafia be continually exposed as the interface between criminal elements and the State, and as benefiting from repression which expands its black market; that the public be educated to the fact that, because of the super-profits involved, the Mafia itself finds ways of opposing policy measures that narrow its market (measures like providing Methadone, on the one hand, or decriminalizing gandy, on the other),

That an ethos of freedom be nurtured, so that we, as a society, can use tried and tested traditional social control to curb drug abuse, including informal methods, debate, parental guidance, dissuasion, logical information campaigns, and rational argument.

That social problems at the root of drug abuse be addressed by us all working towards job creation, secure employment & organizing people to gain power over their lives.

Signed:

PILS

Muvman Liberasyon Fam

Justice et Paix (with four reservations below)

Justice

Mouvement pour le Progres de Roche Bois

ELAN (with reservation mentioned)

Amnesty (Mauritius Branch)

Collectif Arc en Ciel

Concordia II

Lalit

Reservation of the Commission Justice & Paix:

Paragraph 2. An efficient Needle Exchange Program should be introduced including relevant monitoring on its main objectives of: firstly collecting used and suspected contaminated needles and secondly, providing clean syringes to drug users. It is of utmost importance to introduce an effective detoxification and rehabilitation program (occupational therapy) in the prison instead of providing needles to drug-users detainees. This should be accompanied by incentives to motivated detainees in the programme.

Paragraph 7. The decriminalization should target only users with specified limited quantities. In such cases, these I should be referred to rehabilitation programs and/or community services.

Paragraph 8. Over and above remission, psychological assistance should be introduced in our prison system and target ALL detainees with special focus on those condemned for sexual abuses and violent crimes.

Paragraph 14. The distribution of condoms should be performed in accompaniment with proper education on the use of condoms instead of banal distribution.

Reservations of Elan

Re: decriminalization of marijuana