

Submission to the UN Special Rapporteur on the Right to Health

Contribution for Report on Drug Policies and Responses:
a Right to Health Framework on Harm Reduction



Change Armenia (“Change” Social-Healthcare NGO) is a feminist platform that unites womxn from diverse groups committed to advancing and upholding social and healthcare system in Armenia and right to health globally.

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Legal Framework

Article 85 of the **Constitution of Armenia** stipulates that everyone shall, in accordance with law, have the right to health care.¹ Meantime, *the right to health is not confined to the right to health care but includes a wide range of other factors enabling individuals to live a healthy life.*^{2,3}

Article 27 §1 (6) of the **Constitution of Armenia**, which guarantees the right to personal liberty and security, states that “...*the law can provide for deprivation of liberty for the purposes of preventing social dangers posed by persons living with mental health conditions, addicted to drugs and alcohol.*”

Article 49 §4 of the **Law on Narcotic Drugs and Psychotropic Substances**, requires that immediate (mandatory, compulsory) medical assistance shall be provided to a person “...*suffering from drug addiction, if he/she without the doctor’s prescription, permanently uses narcotic drugs and psychotropic substances, has acquired an unrecoverable physiological or psychological dependency, as a result of medical examination has received the diagnosis of “drug addiction” and is not able, even temporarily, without any medical intervention, to overcome the physiological, psychological dependency from the narcotic drugs and psychotropic substances*”.⁴

Regulations on road traffic⁵ deprive persons who use drugs, including those included in the MMT programme of their driving license. *These regulations lead to a situation where a person faces a dilemma; to choose an option of treatment and be deprived of the right to drive, and therefore also to acquire financial problems (several person’s financial resources is driving) or to avoid treatment, continuing to maintain work and at the same time causing significant damage to health.*

Statistical Data

Statistical data on the use of drugs in Armenia remain very poor, the available data reflect only a partial, not a whole picture of the situation.

As of December 31, 2021, the number of registered drug users in Armenia was 7570 of which 149 were women⁶. Experience shows that in Armenia women who use drugs are stigmatized more than men because of cultural stereotypes that hold women to different expectations and roles. Women who use drugs are often portrayed as “bad” and “unfit” as mothers. Both stigma and criminalization of drug use drives women to hide their addiction from healthcare providers, keeping them from accessing harm reduction and HIV prevention. Stigma contributes to poor mental and physical health and interferes with drug treatment and recovery.

¹ RA Constitution, adopted 06.12.2015, <http://www.parliament.am/legislation.php?sel=show&ID=5805&lang=eng>

² General Comment 14, Committee on Economic, Social and Cultural Rights, <https://digitallibrary.un.org/record/425041?ln=en>

³ General Recommendation 24, Committee on the Elimination of Discrimination against Women <https://www.ohchr.org/en/treaty-bodies/cedaw/general-recommendations>

⁴ RA Law on Narcotic Drugs and Psychotropic Substances, http://www.parliament.am/law_docs/100203HO518eng.pdf

⁵ <https://www.artis.am/documentview.aspx?docid=183535>, <https://www.artis.am/documentView.aspx?docid=180055>

⁶ RA National Institute of Health, Drug Report 2022, <https://nih.am/assets/pdf/atvk/a160237d354e62339b678a833d4df1ad.pdf>

Harm Reduction

As a harm reduction programme, Methadone Maintenance Treatment (MMT) has been implemented in Armenia since 2009 with the support of the Global Fund to Fight AIDS, Tuberculosis and Malaria.

MMT is provided on both a paid and free basis, but it is not included in the framework of free and preferential health care service. Currently, the number of patients undergoing treatment remains relatively low, especially for women drug users; from 2008-2019, only 2 women were involved in the MMT programme⁷. Currently, the monthly fee for MMT is 40,000 AMD (~100 USD).

According to drug users; “...one of the obstacles to enrolling in the MMT programme is the limited number of free places. According to them, many people who use drugs have a desire to be included in the programme, but after registration, a clear time is not set when it will be possible to be included, which leads to a lack of applicability.”⁸

MMT is not generally available throughout the country: it is available only in the central cities of the 3 regions (Shirak region - Gyumri city, Lori region - Vanadzor city, Syunik region - Kapan city) and in the capital Yerevan.

There are no regulations in Armenia regarding the provision of MMT in crisis situations. This was especially visible during the COVID-19 pandemic when a number of people could not reach the nearest region, which jeopardized the continuity of treatment.⁹

Case¹⁰

An individual known as “H.V.” was abused by the police after he showed, during a stop and search, marijuana for personal use. According to the victim, the incident occurred on June 27 in Yerevan when he was traveling back to Yerevan from Ararat Region. Police had stopped his taxi and asked him whether he was carrying any weapons or drugs, when H.V. admitted to carrying some marijuana. The police officers then allegedly dragged him behind the car, threw him on the ground, and insulted and beat him. Photographs of the victim taken after the attack showed multiple injuries and bruises on his forehead, shoulders, back, and arms. Despite assurances by H.V. that he would cooperate, he was handcuffed and dragged by the hair into the car and taken to the Shengavit police station in Yerevan. At the police station, he asked for the reason for such treatment and demanded to see an attorney. He was told he could see an attorney when he left the police station. Reportedly the deputy head of the Shengavit police called him a “dealer” and threatened to break his legs. Later, an attorney filed a complaint with the RA Investigative Committee on August 1, which was under investigation at year’s end.

⁷ https://www.unodc.org/documents/commissions/CND/2019/2019_MINISTERIAL_SEGMENT/15March/Armenia.pdf

⁸ From the interviews with persons who use drugs, <https://realwrp.org/en/reports>

⁹ The Impact of COVID-19 on Women's Rights in Armenia, 2021

¹⁰ U.S. Department of State, 2022 Country Reports on Human Rights Practices: Armenia, <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/armenia/>