



## ABUSE DRUGS BETWEEN OFFENCE AND CONSUMPTION

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**Abstract.** The analysis has focused on the judicial treatment applied to drugs and psychoactive substances according to the national and international conventions which regulate the field under study.

The analysis of the legislative premises were based on the study of the existent laws. The through and well - founded research of the multiple types and forms of legal and illegal drugs, of the legal and illegal drugs consumption and of the consequences of drugs consumption shows the necessity of preventing and fighting against drug traffic and illegal drugs consumption.

Therefore, the eradication of the crimes connected to the circulation of psychoactive substances and narcotics must concern both the state organs and the whole society. Finally, the study presents a retrospective statistical analysis of abuse drugs phenomenon, based on the hospitalized patients in ICU Toxicology between 1998 and 2008. The statistical data shows the alarming increase of abuse drug consumption every year, with the highest percentage of heroin. These data represent a quality indicator of the process.

**Keywords:** illegal traffic, illegal drug use/drug abuse, psychoactive substance, tolerance, addiction.

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Ever since it came into existence, man has consumed substances of vegetal origin, not to feed itself, but to experience a transitory state of euphoria and psychical comfort. The Egyptians knew poppy from which opium was extracted, to be used by them as medicine or poison. Sumerians, people that lived 5000 years before Christ in the Persic gulf region, are the first that have left written evidence about the tight and fascinating relation between man and abuse drugs. In "The Odyssey", Homer reveals to us Helen's secret; she was preparing a drink for Telemach that stopped

his sickness feeling. Teofrost (3<sup>rd</sup> century before Christ) states that this drink was opium juice. In the 16<sup>th</sup> century, Paracelsus, the swiss doctor, named opium "The stone of immortality" and recommended it for medical use as simple opium (tincture). Doctor Sydenham von Helmont, also known as "doctor Opiatus", wrote in 1680: "Among the cures that the all powerful nature gave to man to soothe its pain, there is none as universal and efficient as opium."

The word "drug" originates from the Persian word "droa" which means scent. The abuse drug is defined as any illicit or licit substance, that consumed for medical reasons or for any other ones, determines dependence, which means the need of progressive dose growth, making consumption interruption very difficult.

During the past few years, the abuse drug represented the most complex, profound and tragic phenomenon of the contemporary world due to the

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fact that, annually, billions of dollars and thousands of people are involved with abuse drugs traffic and consumption. Criminals are professionals when it comes to abuse drugs traffic and criminal organizations are formed for this purpose.

Seeing the consequences of opium traffic and opium consumption, the international community intervened. This way, in 1845, in France, a law that allowed checking over intoxicants use was made and during 1895 - 1906, some states and territories of U.S.A. adopted special rules regarding opium and other intoxicants control. 1906 has remained a reference year in the history of abuse drugs traffic and abusive opium consumption fighting. That year, China banned opiates poppy cultivation on its territory and, at the same time, made an agreement with India for the next 10 years, through which this country was forced to progressively reduce opium export to China. The conference from Shanghai (1909) reunited thirteen delegations of countries actively implied with opium marketing (USA, China, France, Great Britain, Germany, Italy, Holland, Portugal, Russia, Japan, Siam, Persia and Austro-Hungary) and aimed at establishing some criteria regarding this activity. The conference did not end with the signing of an international treaty, because the representatives did not have a mandate for the signing of such a document but 9 resolutions were adopted that served later as the basis for further agreements and conventions. In 1912, at Haga, the first international convention regarding intoxicants took place. It was called "The International Convention of Opium". After the 1<sup>st</sup> world war, the task of watching the implementation of the convention's stipulations was attributed to the Society of Nations.

In order to fulfill this obligation, the Society of Nations created in 1920, "The Consulting Committee of opium and other harmful drugs traffic". This committee played an important role in fighting intoxicants illicit traffic and abuse, being assigned to warn the Society of Nations about the problems that the intoxicants were making at international level. In 1925, the Geneva Conference took place establishing new rules regarding the use and marketing of opium and "harmful" substances and forming a "Permanent central Committee", assigned with the task of watching the application of the new established rules. The Unique Convention Of Intoxicants, adopted in the 30<sup>th</sup> of march 1961, at New York and modified through the 1972 Protocol, constitutes the foundation of the intoxicants control

and prohibition system.

The 1998 Convention Against Intoxicants and Psychoactive Substances Illicit Traffic, unfolded under the lead of The United Nations, upholds the institutional support in the area. The illicit traffic and consumption of abuse drugs is an important problem for the European Union. This way, The European Center for Abuse Drugs and Abuse Drugs Consumption Monitoring was formed. In the European Union's countries, there are three meanings of the "Abuse Drugs Illicit Consumption" concept:

1. Experimental abuse drugs consumption which means the use of abuse drugs by a person (drugs that were subjugated to national control), usually once or very few times due to the curiosity/wish of experimenting the sensation.
2. Recreative abuse drugs consumption. The important characteristics of this category are dependence absence, excess absence and frequent consumption absence. This category of people consume illicit abuse drugs rarely.
3. Problem - abuse drugs consumption. The ones who consume Problem-Abuse drugs are the ones who are making illicit traffic increase possible, representing criminal potential.

This way, according to criminal legislation in France, Finland, Greece and Sweden, the abuse drugs consumption is a distinct infraction that is sanctioned according to law. In other countries of the European Union (Spain, Holland, Belgium, Portugal and Luxemburg), abuse drugs consumption is prohibited and is sanctioned but only in some circumstances, while in Ireland and Great Britain they are sanctioned only when the abuse drugs consumption has to do with certain substances.

In other four countries of the European Union (Austria, Italy, Germany and Danemark), abuse drugs illicit consumption is not seen as an infractions, same as in Romania.

Law no. 143/2000 establishes the juridical support of substances and intoxicant products, of psychoactive substances and plants that contain intoxicant substances and psychoactive substances. Abuse drugs that are subjugated to national control are classified this way:

- "high risk drugs"
- "risk drugs"

Law no. 143/2000 also settles the juridical position of a person to be legally considered "abuse drugs consumer". This way, the law stipulates that only the physical person that is in physical or

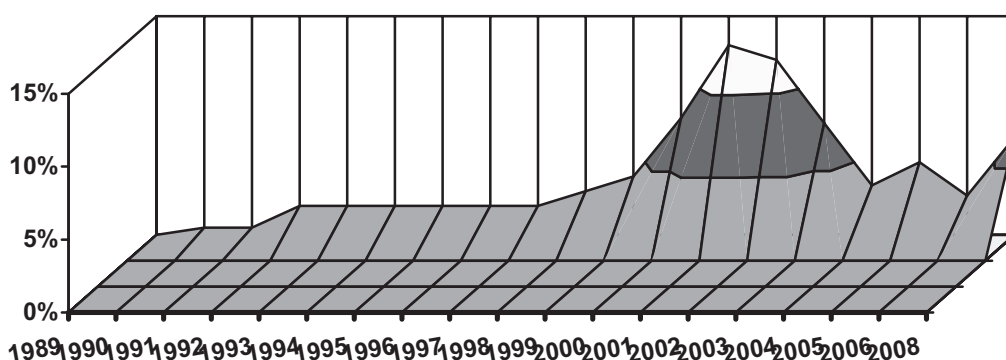


Figure 1. Abuse drug consumption between 1998 - 2008

psychical state of dependence, due to abuse drugs consumption subjugated to national control, is an “addicted” person.

In Romania, in 2009, an alarming increase in abuse drugs consumer’s number, especially young people, was found out. The complexity of the phenomenon has increased in its ensemble. The dope dealer’s networks are more extent, having connections at regional level, national level and in foreign countries.

The most used abuse drugs are: marijuana, amphetamines, heroin, opium, and cocaine. The administration ways are different, depending on the utilized abuse drug and the effect wanted by the consumer.

A statistical study made in the Emergency Hospital Bucharest shows the alarming progressive increase of abuse drugs consumption after 1990. The registered values refer to abuse drugs consumers registered in the emergency department with clinical manifestation of overdose and withdrawal syndromes. In Romania, abuse drugs consumption became significant starting with 1995-1996. Until 1997, the annual values were around 1 – 2 % out of the total acute poisonings. Starting with 1998, an

increase of acute overdoses and withdrawal syndromes can be seen from the statistical data. Starting with this year, the number of acute overdoses and withdrawal syndromes has increased with 50 – 100 % per year, showing a tendency of stabilizing in 2002. In the next 5 years, a diminution of these values was registered, but in 2008, another increase was registered (figure 1). Even though these data do not prove the quantity evolution of the abuse drugs consumption in Bucharest, they represent a quality indicator of the process.

The etiology of the acute abuse drugs poisonings is represented by the heroin overdoses (approximately 99 % of cases), very rare cases of cocaine and amphetamine poisonings (1 – 2 cases per year). Usually, the abuse drugs overdoses are associated with medicines like benzodiazepines and carbamazepine.

The year repartition of the number of cases of overdoses and withdrawal syndromes in the 1998-2008 period is shown in the next table:

Out of all abuse drugs, the opiates had the highest percentage, only two cases being registered with other abuse drugs than opiates (two cases of amphetamine poisonings and one case of acute

Year	Number of patients poisoned with opioids	Withdrawal syndrome patients number
1998	48	24
1999	62	35
2000	182	26
2001	105	156
2002	103	72
2003	64	51
2004	25	17
2005	45	11
2006	25	7
2007	66	19
2008	83	12

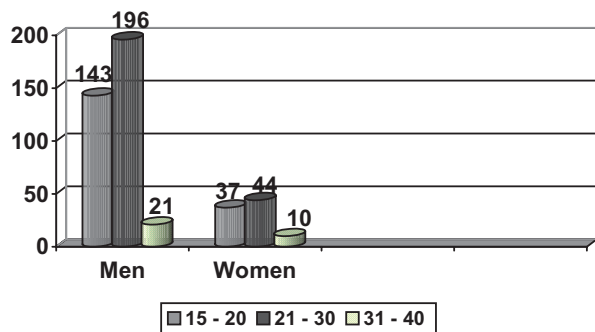


Figure 2. Percentage of abuse drugs consumption on age intervals

cocaine poisonings).

A high percentage of abuse drugs consumption is noticed for the next age intervals: 15 – 20 years old; 21 – 30 years old (figure 2) with the masculine gender having the highest percentage.

The intra-venous way of entrance was the prevalent entrance way (almost 90 %), followed by the digestive way (8.5 %) and respiratory way (1.5 %). (figure 3)

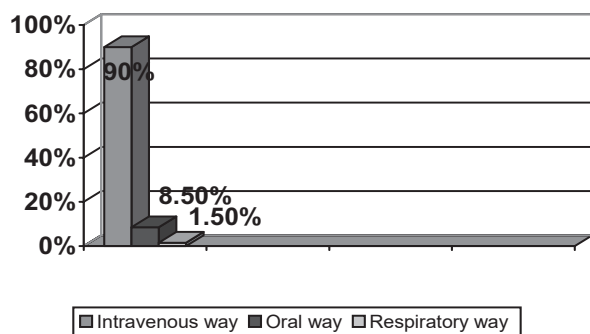


Figure 3. The way of entrance

In this period, 9 cases of acute amphetamine poisonings were registered (obese patients that were under (anorexigene) treatment and that had ingested large quantities of (Amfepramona), in order to kill themselves) as well as three cases of acute cocaine poisoning and seven cases of hallucinogenic substances consumption. (figure 4)

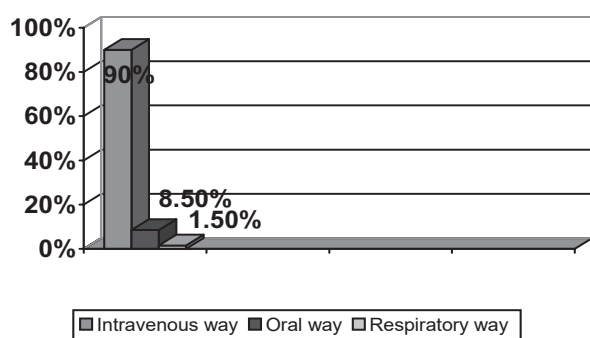


Figure 4. Another type of abuse drugs registered

The registered opiates overdose complications were: reversed respiratory stops, acute respiratory failure syndromes, endotracheal aspiration syndromes, venous thrombosis, tissue necrosis after injection, acute liver damage, rhabdomyolysis and acute kidney insufficiency.

The first measure taken by the romanian authorities to assure the medical assistance in the area took place in 2000, through the implementation of the Health Minister's Public Health National Program (Program 8). This way, clinics for addicted patients were made in some hospitals for psychiatric disorders and substitution therapy centers.

In the basis of Law no. 143/2000 regarding abuse drugs traffic and abuse drugs illicit consumption fighting, specialized structures were set up in the treatment of addicted patients: cure against poisonings, post-cure therapy, measures destined to reduce the consequences of abuse drugs consumption.

The number of addicted people is increasing and so is the risk of a criminal phenomenon appearing at national level. To stop these tendencies, all state authorities with duties in the area will have to work at finding a way to decrease this scourge.

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