WOMEN WHO USE DRUGS IN ESTONIA: HUMAN RIGHTS VIOLATIONS AS DETERRENTS FROM HIV TREATMENT

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REGISTRED HIV CASES **9820**

PWID **9000**

HIV AMONG PWID **54-66%**

IN 2017 **16.6** NEW DIAGNOSED HIV CASES PER 100,000 INHABITANTS (EU AVERAGE 5.9 PER 100,000)

THE PROPORTION OF WOMEN AMONG THOSE CASES APPROXIMATELY **37%**

LEGAL CONTEXT

Drug laws and its consequences

Drug use and possession of a small amount of an illicit drug for personal use are misdemeanors, for which the punishment is a fine or an arrest of up to 30 days. People who are convicted also have to pay financial compensation to cover the drug laboratory's forensic examination costs. Those who don't pay fines are later arrested. In the result people have thousands of euros in depts and according to the new regulation dept collectors can take all of their income including pensions leaving only 140 euro a month to live on.

Almost 90% of the punishments enacted comprise fines, which average to about 100 EUR (about 80 EUR for cannabis, 100–120 for more potent drugs). In 2017, throughout the year, a total of 470 persons were arrested and incarcerated for drug-related misdemeanors.

Possession of over 10 average doses of an illicit drug (Penal Code §184), or possession of any amount of an illicit drug for the purpose of passing it along to someone else (Penal Code §183) are considered criminal acts. By the end of the year 2017, there were 585 persons in prisons, convicted for the crime of possession (almost all of them based on Penal Code §184, avarege sentence for Section 1 – 1,5 years, Section 2 – 3,5 years).

§184 Ilegal handling of large quantities of narcotic drugs and psychotropic substances

(1) Illegal handling of large quantities of narcotic drugs or psychotropic substances – is punishable by 1 to 10 years' imprisonment.
(2) For the same act, if committed:
1) by the group;
2) a person who has previously committed a theft, robbery, unlawful introduction or export, transfer or handling of a criminal offense or a narcotic or psychotropic substance specified in this section, – is punishable by 3 to 15 years' imprisonment.

IN AUGUST 2017 A QUALITATIVE STUDY was organized in Estonia, in order to explore the social factors that impact lives and health of women with HIV and women who use drugs. Research methodology, developed by Eurasian Harm Reduction Association and Canadian HIV/AIDS Legal Network, was based on in-depth interviews carried out by international and local experts.

38 INTERVIEWS WERE CONDUCTED:

- All of the respondents – female, aged 26 – 46
- 37 analysed through thematic content analysis
- 1 interview was excluded from the analysis due to the unstable state of the interviewee

DATA PROTECTION AND SAFETY:

- Each participant was given the information about the study and signed the informed concent
- Names of the participants were coded and there is no reference of their real names in the report

The women interviewed reported that they did not want to get tested or start ART because of the STIGMA associated with HIV and cases of people's HIV STATUS BEING DISCLOSED at their workplace or at the workplaces of relatives and partners The disclosure of drug dependence and/or HIV status was the main reason for women's unemployment. In 25 CASES drug use became the grounds for the LIMITATION/DEPRIVATION OF CHILD CUSTODY. Low level of protection from VIOLENCE AND THE EXCLUSION of drug user women from shelter programs has been discovered. Women also reported about regular POLICE ABUSE, STREET DRUG TESTING AND ARBITRARY ARREST. Systematic human rights violations drive women away from health services, including HIV and drug treatment, and create mistrust to social protection services and the police.

Drug laws and drug enforcement practices, combined with stigma related to drugs and HIV, are the main drivers of systematic and serious violations of the human rights of women and all people who use drugs. **#CHASETHEVIRUSNOTPEOPLE**

> One day my mother and my partner's mother called us and told us to immediately come to a family meeting. ...We came, and, you know, I always lied to my mother that everything was fine. And these social workers, even though they are not allowed to talk about me being in the methadone program, my dose there, they told our parents everything: our dose, what our drug tests show, whether we use [drugs] or not.
> **WOMAN, 28, KOHTLA-JÄRVE**

> When I was just employed, started to work, I went to child protection services and put my job contract on the table. I go to work the following day, and I am called in by the owner. And he says, "Vika [name changed], I received a call today, and they said that you have problems with drugs."
> **WOMAN, 35, JÕHVI**

> I was on methadone at that time and gave birth on methadone. I didn't have any problems, you know. And then I moved to that new apartment; it was still in the process of being renovated. And they came. Again only one room was unfinished; everything else was ready. Plus, all my clothes from the wardrobe were on my bed, and all this was considered to be a mess.
> - But the renovation was still in progress?
> - Yes. And they came with the police.
> - Social workers with the police?
> - Yes. And they looked at all this and decided that this place was not suitable for a child.
> **WOMAN, 34, TALLINN**

> I was given a depression assessment test. The test showed 10 out of 10 points, so they told the father of my child to go get my clothes immediately, because I would be staying there [the psychiatric clinic]. ...They told me they would admit me. They tried to find out the reasons for my depression, but I refused to talk. ...The next 10 minutes went like this: they opened their computer, saw what pills I was taking, and then it became clear to them that I'm actually a drug addict. So they told us that they don't admit drug addicts, and when the father of my child asked what we should do then, they told us to turn somewhere else. [In order to be admitted there,] I would first have to get rid of my drug problem. The father of my child asked, "But you just said that she's at risk of suicide?" And they told him that we would be lucky to find help before that happens. And then we left.
> **WOMAN, 29, TALLINN**

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