APPROACHES FOR DECRIMINALIZATION – WHAT WORKS?

LITHUANIA

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FROM 2017 - BACK TO THE CRIMINALIZATION OF ANY QUANTITY OF THE PSYCHOACTIVE SUBSTANCES

• Possession of drugs (without intent to distribute it) is a **criminal offence.**



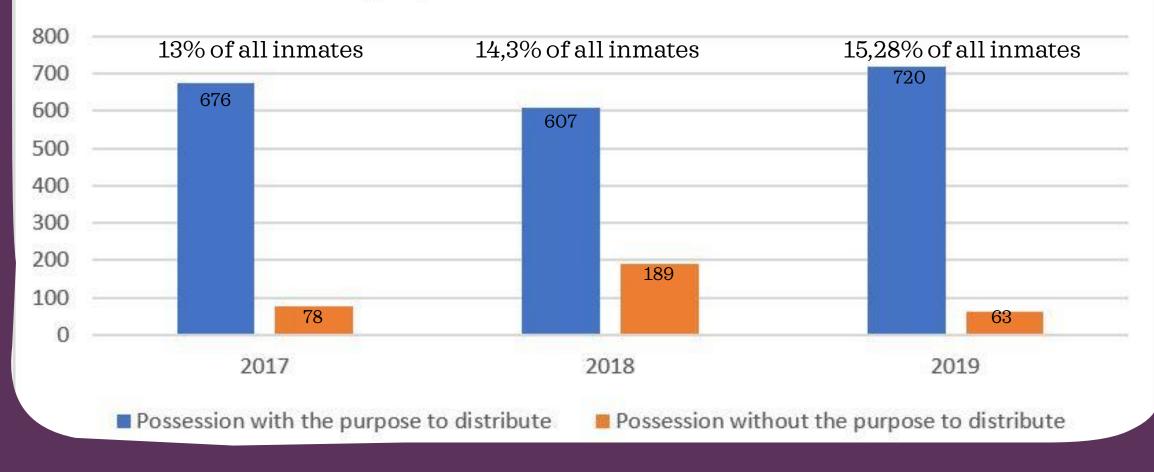
LARGE SMALL Community Imprisonment Imprisonment service or a from 10 to 15 years up to 2 years restriction of

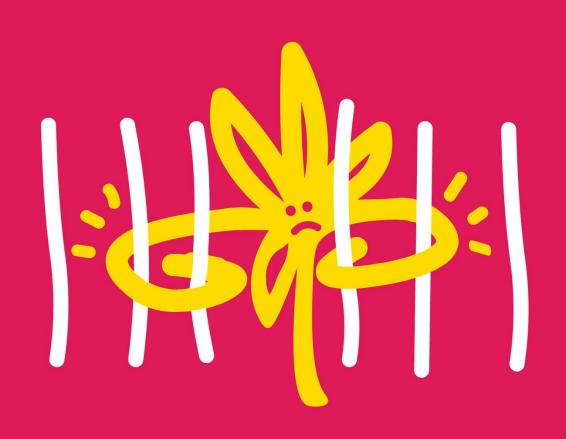
liberty, or a fine,

or an arrest

VERY LARGE

Number of convicted persons for possession of psychoactive substances





For 0,006 g. of cannabis (THC) - CRIMINAL RESPONSIBILITY:
6 months restriction of liberty and 50 hours of community services

1 pill of MDMA sent by the post = possibility to be imprisoned from 3 to 10 years

- Sending by post = trafficking=
 with/without intent to distribute
- Trafficking of the illegal psychoactive substances = from 3 up to 10 years imprisonment

- Art. 54 (3) of the Criminal Code:
- If the imposition of the punishment (provided in the article) would be clearly contrary to the principle of justice, the court may, in accordance with the purpose of the punishment, impose a lesser punishment.

EXCEPTION

 Possession of drugs without intent to distribute is a criminal offence and punished by community service or a restriction of liberty, or a fine, or an arrest. So why not to decriminalize possession of small amounts?

• Criminal Code exception (Art. 54) is applied as a rule in the most cases when drugs are trafficked (where small amounts are involved). So why not to make it a rule, instead of exception?