

Formal Feedback on the White Paper – Towards the Strengthening of the Legal Framework on the Responsible Use of Cannabis

Disclaimer

OASI Foundation is not against the person who uses any kind of psychoactive substances.

OASI Foundation does not agree with the use of any psychoactive substances for the socialization, relaxation or feel-good purposes.

OASI Foundation has been promoting healthy and natural approaches and methods to gain satisfaction, relaxation and long-term life enjoyment rather than reverting to drugs and addictive behaviours.

OASI Foundation views this White Paper in the light of normalization, which is a non-static phenomenon, and hence forewarns that other psychoactive substances will, in due time, be impelled the same route.

Interaction with the human brain

OASI Foundation is cognisant that:

- Psychoactive substance use problems are directly contingent on the combination of age of onset, type of substance, physiological and genetic makeup, and the frequency, amount, potency of the substance used, awareness of harm and availability of the substance. OASI is also mindful that poly substance use equates to the multiplication of harm.
- Psychoactive substances and certain behaviours can lead to addiction and problematic use in certain categories of the population.
- Psychoactive substances have increased in their variation as well as in their potency levels when compared to those of 40 years ago.
- Cannabis produces sense of euphoria and relaxation; however, these sensations fade away once the effect of the drug subsides. Long term, frequent use can easily result in increased anxiety and paranoia. This is dependent to the combination of levels of THC and CBD in the various parts of the plant.
- Cannabis use may be the cause of familial discord due to inappropriate cognitive malfunctioning. We have witnessed numerous conflicts as a result substance use.
- Several psychoactive substances are used for their medicinal properties after appropriate scientific studies and licencing processes. They are regulated by qualified medical practitioners within a scientific and legal system which ensures the safety of the patient.

- Substance use is not only a younger generation scenario, but a phenomenon that afflicts all ages and all strata of society. It those not recognise any socioeconomic status.
- Although Health Promotion and Harm Reduction are interrelated concepts, actions forming one strategy may conflict the other.

Measures towards Reduce Harm

1. We like to see changes in the law which reflect more autonomy and space to courts by removing the enforced minimum 6 months imprisonment for drug trafficking. There may be some cases that appear to be of trafficking nature, but the court may deem that a prison sentence is not appropriate.
2. We are not aware of any scientific definition which outlines the term “responsible use”. Hence a scientific definition will be welcomed, as it will then help us construct better policies. On the other hand, we have found multiple definitions of “social use”, giving rise to incongruent understanding and policy measures.
3. It is unwise to compare two or more different types of psychoactive substances since their effects on the individual are directly dependent on the type of substance, body weight, age, genetic dispositions and health state, amongst other factors.
4. We know that the human brain continues to develop till around the age of 25. Any psychoactive substance use before this age has more harmful effects when compared to use after this threshold. It is always unwise to tolerate substance use, but it is even more so to tolerate use before this age.
5. We actively support those organizations which promote HR policies that encourage their employees to seek assistance in stopping substance use while do not promote substance use. Such organizations, such as companies, schools, volunteering organizations and the like, should be supported by laws and regulations to provide safe environments.
6. We continue to promote the concept that psychoactive substances should never be used for recreational purpose. Hence, such discourse should never be used, especially in any official arenas. We appreciate that this term was not used in the White Paper.
7. Harm reduction strategies should never be aimed to the general public, unless there is a pandemic. Harm reduction should focus to a specific cohort. Should the state feel the need to exercise harm reduction methods to those who feel the need to make use of cannabis, the state should supply cannabis under the monitoring of a physician (as in the case of other medications). Supply should be monitored by health professionals and free of charge as entities should not be making money from a substance known to be harmful.
8. Law enforcement is a vital component in harm reduction and hence, in the drafting of legal documents one should always bare in mind the potential enforceability of the law. The black market will always be with us.
9. We emphasize the training of front liners, such as teachers, nurses, HR personnel and law enforcement personnel, amongst others, on how to approach substance use situations in their line of work.

Measures to Promote Health

1. Since its institution 30 years ago, OASI Foundation has based its services on the motto “Life Is Beautiful”. Prevention strategies and programs are effective when promoting healthy living approaches, including interrelationship skills. Demand reduction should focus on persons being unwilling to use rather than provide substances through the “white market” as an alternative to the black market.
2. We would like to see an aggressive consistent promotion strategy of healthy skills through the use of all communication media. Media providers should volunteer part of their working energies towards this end, making it part of their CSR.
3. We would like to see more professional support and guidance offered to parents with familial challenges, addressing relations issues within the couple, with their offspring and also with their extended family.
4. Prevention measures and education needs to address all social players and not only children and younger generation. Holistic Wellbeing coupled with realistic basic knowledge on substance use should be the foundation of all preventive measures.
5. We feel the need of more participative and contributory sports and cultural activities, away from competition, that promote wellbeing. This is key towards an effective preventive outcome.
6. Longitudinal studies of the local context are needed to monitor societal mores contributing to substance use protective and risk factors to address effective targeted policies. Strategies should be empirically based.
7. Monitoring of other social strategies applied elsewhere and see what works and why. However, not all that works for one society does not necessarily fits all.

On the White Paper

In the light of UN treaties which “make it mandatory for the state to criminalise the production, sale and possession of cannabis” as referred to in the White Paper, the White Paper seem to promote the legalization of cannabis by allowing the possession of up to 7 grams of cannabis and the cultivation of 4 plants per household without any form of sanctioning.

OASI Foundation welcomes any action to decriminalize substance use. However, in the process of decriminalizing, caution should be exerted not to indirectly promote use.

Substance use is a very sensitive subject with complex interrelated paradigms and should not be subject to the arena of partisan politics.

We would have been in better position to provide constructive feedback if we were provided with a draft of the actual law. We would be glad to offer out expertise and experiences in this regard.

Once again, substance use normalization is a non-static social phenomenon, and thus requires continuous monitoring and the participative contribution of all experts in the field.

NB – Further information about the subject and more detailed recommendations may be found on <https://oasi.org.mt/blog/>