

THE ROLE OF THE CIVIL SOCIETY IN THE PROMOTION OF THE RIGHTS OF DRUG USERS

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Abstract: The concept of human freedoms and rights is the backbone of a democratic society and states are obligated to ensure the rights and freedoms of all citizens without any basis of discrimination. Many civil society actors are active and struggling to improve the human rights situation in different areas. Some of the main stakeholders are non-governmental organizations working in the field of advancement of human rights and freedoms. These organizations most often represent vulnerable and unprotected groups of people, such as women, children, refugees, migrants, people with disabilities, drug users, etc. When it comes to drug users, the activities of non-governmental organizations are reflected in providing help to drug users in exercising their rights in health and social care, providing free legal aid, counseling, assistance in the process of rehabilitation, resocialization and reintegration, etc. The NGOs also work on the provision of the rights of drug users in prisons, especially in terms of improving the conditions in which they exist, the access and availability of treatment programs, and also have actions to implement the harm reduction programs, because this category of persons is one of the most vulnerable categories of drug users. In the Republic of North Macedonia, the civil sector plays a major role in the field of drug users' rights through various forms of services. Many non-governmental organizations directly or indirectly care for drug users, their equality and non-discrimination based on their status, through advocacy, for the consistent respect of the guaranteed human freedoms and rights.

Keywords: Non-governmental organizations, drug users, rights and freedoms.

1. INTRODUCTION

Civil society is a term used when talking about democracy and human rights. It refers to social actors that do not belong to the official sphere or to the existing apparatus of government (Đuliman & Hjorth, 2007). Civil society actors are individuals or groups who voluntarily engage in various forms of public participation and action for common interests, common goals or values that are compatible with the goals of the UN: maintaining peace and security, achieving development and advancing and respecting human rights (Практичен водич за граѓанското општество, 2014).

There are a number of civil society actors who are active and fighting to improve the human rights in various areas. One of the main actors are non-governmental organizations, ie citizens' associations working in the field of promotion of human rights and freedoms. These organizations often represent vulnerable groups of people such as women, children, refugees, migrants, people with disabilities, drug users, etc.

They are composed of experts from the areas for which they are responsible and to a large extent participate in the adoption of national policies for the area they treat, and the goal of NGOs is through pressure to the government to improve the conditions in which these vulnerable groups are and to promote the guaranteed human rights and freedoms (Ulleberg, 2009). The formation of non-governmental organizations stems from the freedom of association which is one of the foundations of a democratic society and is an inevitable consequence of the nature and characteristics of man, who as a living being is destined to live in various forms of community. This implies the right of every person to establish various forms of association, as well as to enter, join and leave them, without influence or interference by the state (free association), except in precisely defined cases provided by law (Беличанец, Р., Медарска, А., Маричиќ, Б., 2010).

2. LITERATURE REVIEW AND HYPOTHESIS DEVELOPMENT

The conceptual framework for this paper is based on research about the role of non-governmental organizations in exercising the rights of drug users, especially in the process of their re-socialization and reintegration.. The aim of the paper is to enable ways and models to overcome the problems faced by drug users in achieving guaranteed human rights and their affirmation in society, primarily by reducing their stigmatization, marginalization and discrimination, on the one hand, and on the other hand to recognize the civil sector in the fight for an equal society for all, including drug users as one of the categories of citizens who are often on the margins.

In this regard, the main assumption is that without the help that drug users receive from NGOs, the process of their

re-socialization and reintegration into society would be significantly more difficult, even almost impossible. The research was made through literature analysis.

Namely, the involvement of civil society in drug policies is a cornerstone of European drug policies within the European Union. Thus, a Civil Society Drug Forum has been established, which is a comprehensive platform for structured dialogue between the European Commission and European civil society, supporting the formulation of drug policies and their implementation through practical advice.

The members of this Forum take drug-related activities as the center of their agendas, covering various aspects such as treatment, prevention, social reintegration, etc. There are 4 working groups within the Forum working on the following activities: quality standards for reducing drug demand, institutional links with the EU and other international structures, contribution to the EU Drugs Strategy and Action Plan and engaging civil society in national drug policies (See: https://ec.europa.eu/home-affairs/what-we-do/networks/civil-society-forum-drugs_en).

In general, the activities of non-governmental organizations are reflected in providing assistance to drug users in exercising their rights to health and social protection, providing free legal aid, counseling, assistance in the process of rehabilitation, resocialization and reintegration, etc.

In this regard, NGOs prepare a variety of brochures, manuals, guides and other published materials aimed at providing drug users with specific information and guidance on various areas related to the exercise of drug users' rights. In addition, some NGOs provide free anonymous testing for HIV and hepatitis, free gynecological examinations, and other examinations aimed at improving the health of drug users.

NGOs also assist the treatment process by providing psychosocial support by undertaking psychosocial interventions to rehabilitate and resocialize drug users and help them successfully cope with addiction and persevere on the path to treatment and maintenance. In this regard, NGOs should set up counseling centers or assist and support the establishment of counseling centers by other relevant entities, which will help drug users overcome their drug addiction problems and alleviate them. the process of recovery and resocialization.

Particularly functional are the associations of cured or former drug addicts who share their experiences with others and work together in the rehabilitation process. The most famous such association is "Narcotics Anonymous", which is accepted in many countries around the world (See: <https://www.na.org/>). Self-help groups known as "Grassroots Groups" are also being formed around the world to fight for protection against discrimination and to exercise the rights of drug users and to work through peer networks that offer a wide range of mutual assistance in terms of advocacy, offering drug treatment, peer education, secondary education or community sterilization programs, legal advocacy, and advocacy for protection against unethical "dealers" (Краток преглед на формите на самоорганизирање на корисниците на дроги, 2016).

NGOs should also help drug users acquire skills that would help them find permanent employment, as well as assist them in the further education process, given that most drug addicts have incomplete education, without special vocational skills and usually unemployed. NGOs can achieve these goals by opening or supporting the opening of day care centers for drug users within the community in which they live, where addicts will spend most of their free time and where they will overcome all obstacles to successful resocialization and reintegration into society. Also, opening therapeutic communities or supporting their opening will help a lot in the process of healing and treatment, and in the process of resocialization and reintegration.

NGOs also work on the rights of drug users in penitentiaries, especially in terms of the conditions in which they exist, the access and availability of treatment programs, and also have actions to implement programs for harm reduction because this category of persons is one of the most vulnerable and risky categories of drug users. Thus, for example, a wide range of harm reduction policies from 1992 to 1994 showed a significant reduction in HIV, especially in prisons in Spain where prisoners were educated, advised and referred for methadone treatment, while sharing condoms and HIV testing / AIDS and hepatitis B and C (See: <http://www.forward-thinking-on-drugs.org/review2-print.html>). Another example is the activities of the NGO "4Life" in Montenegro, which implements a rehabilitation and resocialization program for drug addicts in prisons and monitors the treatment of infected prisoners with hepatitis, enables their inclusion in a treatment program and mediates between the authorities for enabling such treatments in prisons (Situaciona analiza položaj zavisnika/ca od droga u crnogorskom društvo, 2014).

In the Republic of North Macedonia, the civil society sector plays a major role in the field of drug users' rights through various forms of action. There are a number of NGOs that directly or indirectly care about drug users, their equality and non-discrimination on the basis of their status, through advocacy for consistent respect for guaranteed human rights and freedoms.

Namely, the disrespect of human freedoms and rights can be manifested through various forms, and most often through discrimination due to certain characteristics. Discrimination as a global phenomenon has a negative effect on all aspects of human life. It leads to exclusion, marginalization and dehumanization. The Constitution of the

Republic of North Macedonia, as the highest legal act in the country and the guarantor of the fundamental freedoms and rights, raises the principle of equality to the highest level. The principle of equal treatment and non-discrimination is a cornerstone of fundamental rights and values and they have been identified as essential by most international organizations and legal instruments (Анализа на механизмите за спречување и заштита од дискриминација во Република Македонија, 2012).

Due to the fact that drug users enter vulnerable and highly marginalized groups of people, it often happens that their rights are violated or unfulfilled, so NGOs not only commit to this category of people to help them exercise their rights but also take over activities to promote their rights and provide them with quality living standards. In this context, it must be noted that not all people who use drugs are marginalized, nor are all marginalized people drug users. However, marginalization can be seen as a contribution to drug use, just as drug use can be seen as a contribution to the marginalization of some users: drug use can cause deteriorating living conditions, while processes of social marginalization can be a reason to start using drugs.

The violation of the human rights and freedoms of drug users in the Republic of North Macedonia is not unknown and is most often aimed at violating human integrity and dignity. Thus, the Report of the Helsinki Committee for Human Rights of the Republic of Macedonia on the human rights situation in 2005 found a violation of the rights of drug users and their dignity within the state institutions in charge of non-discrimination and fight against stigmatization (Report of the Helsinki Committee for Human Rights of the Republic of Macedonia on the human rights situation in 2005 - ANNUAL REPORT, 2005).

In 2015-2016, a survey was conducted among drug users for violations of human rights and freedoms of drug users in contact with the police in the Republic of Macedonia. The research concluded that drug users are seen as serious criminals, and not as people with a serious need for medical treatment, they are treated in an extremely humiliating way through beatings and other forms of harassment, forced urine testing and their right to dignity, health rights, right to privacy and other rights are most often violated (Trajanoski, 2016).

NGOs prepare publications, brochures, guides and similar materials aimed at familiarizing themselves with the rights guaranteed to drug users, as well as the ways in which they can exercise them and the ways in which they can protect themselves in case of possible violation of constitutionally guaranteed freedoms and rights. Furthermore, non-governmental organizations in the Republic of North Macedonia provide various services for the promotion of the rights of drug users, in terms of information, counseling and referral to treatment centers, referral to social work centers and day care centers for drug users, establishment of day care centers, establishment of therapeutic communities, establishment of counseling, SOS lines, and many of them implement harm reduction programs. Given that in the Republic of North Macedonia, there are no regulations that will ensure the availability of programs for treatment of minors, NGOs make efforts to promote the rights of children and insist through their instruments the state to provide treatment programs as soon as possible intended for this population (Годишен програмски извештај на ХОПС-Опции за здрав живот 2015 година, 2015).

In the Republic of North Macedonia, although minimal, there is still activism of drug users in terms of association in certain groups or organizations to exercise and represent their rights. Namely, in our country there is no formal association in the form of the so-called grassroots organizations, although throughout history, there have been attempts and several such organizations have really functioned. The non-existence of such an active organization is a limitation of the motivation for activism of drug users in North Macedonia, which means insufficiently developed awareness of changes for the better and advocacy of their own rights and interests or fear of taking certain activities, for various reasons, e.g.: labeling and moral condemnation, stigmatization and discrimination, fear of the police, etc. (Деков, 2016).

3. CONCLUSIONS AND IMPLICATIONS

Non respect for human rights and freedoms can manifest itself in various forms, most often through discrimination due to certain characteristics. Discrimination as a global phenomenon has a negative effect on all aspects of human life. It leads to exclusion, marginalization and dehumanization. In almost every country, drug users are marginalized and stigmatized, and this often causes the inability to exercise the basic guaranteed human rights and freedoms. Given that drug use is a social phenomenon involving drug users, drugs and society, every effort must be made to change society's attitude towards drug users, and thus to change the approach to achieving rights that are guaranteed to all people, regardless of any form of discrimination. In that direction, strategies for prevention of drug addiction must be adopted at the state level, where special and detailed work will be done on the measures and activities for reduction of discrimination of these persons and on the tasks that the state apparatus will have to perform in order to enable the smooth exercise of basic human rights such as the right to health and social protection, the right to education, the right to employment, etc. Of course, all this implies even greater involvement of non-governmental organizations, because obviously without the level of presence, drug users will be left on the margins.

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