

• SEP 2 2024

Portugal was successful in decriminalizing drugs. But now the victory is cracking

The oft-discussed drug policy is still a success compared to other parts of Europe and North America, the Portuguese researcher maintains.



Portugal has long been a role model for decriminalization, but what are the recent experiences? (Photo: Shutterstock)

\ The article was written by



Once upon a time, the Portuguese city of Lisbon was known as the heroin capital of Europe.

Today, the country is highlighted as a role model, which did the impossible and got rid of the widespread drug abuse in the country.

It is therefore precisely the southern European country's drug policy that is referred to in [a recent article in Berlingske](#), where a majority in Copenhagen's Citizens' Representation advocates taking "the first steps towards decriminalizing drugs" in the municipality.

Because since a reform was introduced in 2001 in which hard drugs were decriminalized for personal consumption, Portugal's approach has served as an inspiration for other countries.

While the Portuguese strategy has been called [a resounding success](#) for many years, criticism has been raised in recent years, with certain voices calling for a rethink of decriminalization, [according to The Washington Post](#).

So is Portugal's approach still a shining example 23 years on?

\ What was Portugal's drug reform from 2001 about?

In 2001, Portugal decriminalized all hard drugs, including cannabis, heroin and cocaine, for personal consumption.

Decriminalization means that you will not be punished with prison if you are caught in possession of drugs until after consumption. However, it is still prohibited to manufacture, smuggle and sell the drugs.

At the same time, a more health-based approach was implemented, so that it no longer became a criminal law issue.

If you are stopped by the police, you must be interviewed by a 'deterrence commission' consisting of a lawyer, a doctor and a social worker, who must assess what should happen next. If you are caught carrying drugs, you can also potentially be referred for treatment.

The basic idea was therefore that drug addicts should no longer be treated as criminals, but as individuals in need of health care.

Source: [Transform Drug Policy Foundation](#)

A massive national change

If you immediately look at the numbers, they speak in Portugal's favour:

Before the reform was introduced, in 1999 there were [369 deaths as a result of drug use](#). In 2003, that number was more than halved to 152.

In subsequent years, the numbers increased, but in 2020 there were [63 deaths as a result of drug use](#), which is [below the EU average](#) — in Denmark, for example, there were [280 deaths in 2022](#).

The figures from Portugal correspond to 9 overdose deaths per 1,000,000 inhabitants. [In comparison, there were 44 deaths per million in Denmark](#) and 73 per million in Sweden.

Anthropologist Miguel Moniz explains this to Videnskab.dk.

"25 years ago, Portugal was at the very top when you look at the number of overdose deaths in the EU. Today, the country is at the bottom of the statistics," says Miguel Moniz, who is a postdoc at the Universidade de Lisboa and has researched Portugal's drug legislation.

With the introduction of decriminalisation, drug users are no longer punished for having small amounts of drugs on them for personal consumption, which you can read more about [in this article](#).

But it is not decriminalization in itself that has created the success. This is a misunderstanding, says Miguel Moniz:

"It wasn't just drugs that were decriminalized. Society's response to drug use was changed from being a criminal matter to making it a matter of public health."

Portugal's drug policy

Portugal's reform has led to several changes in society since 2001:

- The number of overdose deaths has dropped by 80 percent
- HIV infection has been significantly reduced
- A more humane approach to drug problems has been introduced
- The number of heroin addicts has decreased
- The number of cases of what is called problematic drug use – that is, if it causes health, psychological or social problems – has also decreased, [a study from 2010](#) shows.
- The number of people convicted of drug offenses has fallen from [42.9 percent](#) to [18.5 percent](#) (2001-2023)



Illustration : Canva

Sources : Miguel Moniz, Caitlin Hughes, Drug Policy Alliance

In addition, before 2001, a "robust health ecosystem" had been created, so that you were prepared when the law came into force, explains Miguel Moniz.

"They coordinated a massive national change and approach to drug policy, such as training of the police and resources for drug addiction treatment. That is why Portugal has had these success rates," he says.

The shadow side of the effort

But despite the numbers, criticism has begun to trickle in in recent years.

In [The Washington Post](#), it is described how the drugs have become more visible on the street. Syringes and waste from drug use, they write, lie and float outside a primary school — the worst seen in decades, according to Portuguese police.

Likewise, [recent studies](#) have also focused on the challenges of the country's drug policy.

In addition, the reform has led to a "normalisation of dangerous drug use" among young people, [believes Porto's mayor Rui Moreira](#). He has also advocated for the recriminalization of drugs in certain areas, which however has spawned [an open letter from experts and civil society](#) condemning the proposal.

Esben Houborg is associate professor at the Center for Drug Research at Aarhus University and has followed Portugal's drug policy for many years.

He assesses that the criticism of drug policy is basically based on two things:

1. Portugal has saved on efforts for 'harm reduction' (to reduce the negative effects of drug abuse, ed.) and treatment — especially after the financial crisis.
2. They had not followed through on creating more advanced 'harm reduction' offers such as drug taking rooms and heroin treatment.

Can the Portuguese model still be called a success?

"I think you can say that the success has been modified over the years, in that you don't have the resources for social and health services that you had before. But there are still some who receive treatment, and there are still some who receive some help," answers Esben Houborg.

Therefore, the primary problem is not the drug policy itself, but rather its underfunding.

"It is not that the system that was established has stopped working. It just doesn't work as well as it originally did," says Esben Houborg.

Victims of their own success

One of the reasons behind the lagging drug policy was that in the years after decriminalisation, the politicians believed that the measure had now solved the problem of drug abuse, states anthropologist Miguel Moniz.

Therefore, it was believed that it was not necessary to spend as much money on treatment programs.

[Cuts in 2012](#) also meant that much of the work on the streets was shifted from government organizations to under-resourced NGOs.

"In some ways, Portugal was a victim of its own success. When the politicians felt that the worst of the overdose problem had been solved, the funding priorities changed," he says.



In the city of Porto, the mayor Rui Moreira has described glaring conditions with drug use. He has therefore stated that drugs should be recriminalized close to schools and civic centres, which is however criticized by experts. (Photo: Shutterstock)

That is why the National Agency for Drug Abuse (ICAD) has collaborated with politicians to reinstate some of the previous treatment programs and restore some of the budget, he explains. In July, for example, Portugal allocated [640,000 euros for safe drug use](#).

For success, according to Miguel Moniz, robust state support is required.

"Although people still die from overdoses, there are far fewer today, because the goal of the country's approach is to find ways to reduce harm. It's to help people find information and give them the options to stop taking drugs if they want to," says the researcher.

A failed attempt

Otherwise, what happened recently in Oregon in the USA can happen.

As the first state in the country, it launched an experiment directly inspired by Portugal's policy, [where it decriminalized the possession of small amounts of hard drugs such as fentanyl, heroin and methamphetamine](#).

But just four years later, decriminalization had to be rolled back as [people took drugs in the open and the number of overdose deaths increased](#).

Drug users from other states had moved to Oregon, increasing the population of drug users. At the same time, the problem was also intensified by the corona crisis and by the fact that the substance fentanyl had spread to the west coast of the USA.

\ Read also



Have scientists found a defense against one of the world's most dangerous drugs?

But the fundamental problem in Oregon, according to Miguel Moniz, was that they "put the cart before the horse".

Because unlike Portugal, in practice they did not have a systematic and coordinated response to the problem that was in place before they implemented the policy.

The organizations that were supposed to help with drug addiction treatment [had difficulty finding manpower](#). In addition, there was an actor who plays a significant role in the Portuguese model, who was not quite on the bandwagon in Oregon:

"When implementing decriminalisation, it is incredibly important that you have good cooperation with the police. And this suggests that the police have not been particularly willing to implement it in Oregon's case," states Esben Houborg.

The Danish implementation

This leads us on to the trial scheme mentioned. Last year, a majority in Copenhagen's Citizens' Representation voted for the municipality to [be an experimental city for the decriminalization of drugs](#).

In the chronicle, it is described that highly dependent adult drug users should not be punished for having drugs on them for their own consumption, regardless of where they are.

Miguel Moniz emphasizes that he will not comment on whether Denmark should introduce a decriminalization of drugs or not. But if Copenhagen Municipality wants to introduce it, one should avoid thinking that decriminalization alone is the key to solving the problem.

"One must treat decriminalization as a small part of a wider systematic change towards turning addiction into a health problem and not a criminal matter," says Miguel Moniz.

It can also be to help drug users find a job or a home, which can often be the problem for the socially vulnerable group, he elaborates.

\ The situation in Denmark

In the Danish legislation, we have elements of something that could resemble a kind of decriminalization, explains Esben Houborg:

- **Waiver of charges** : As of 1 July this year, [a change in the law came into force](#), which means that heavily addicted drug addicts will receive a warning rather than a fine if they are caught with drugs on them.
- **The fixing room rule** : If you are in possession of drugs and on your way to, in the immediate vicinity of, or are in a drug taking room, you will not be punished or have your drugs confiscated.

Associate professor Esben Houborg also emphasizes that decriminalization can have positive effects, but it must be linked to other political initiatives if "you want to reap the fruits" of potential decriminalization.

Copenhagen's Citizens' Representation also proposes that young people who are caught in possession of drugs for their own consumption be ordered to speak to a drug counselor rather than a fine.

It is a step in the right direction, especially because it is aimed at young people, believes Esben Houborg:

"Much of the talk today focuses on those who are already socially disadvantaged, but some of these young people may also become socially disadvantaged at some point. If you could use such a policy to give them proper help, it could be very good."

\ Read also



Experts: Decriminalization of cannabis would help young people



Decriminalization of drugs is a great success in Portugal



Politicians want to know more about foreign countries' experiences with cannabis

\ Sources

"20 years of Portuguese drug policy – developments, challenges and the quest for human rights", Substance Abuse Treatment, Prevention, and Policy (2021), DOI: [10.1186/s13011-021-00394-7](https://doi.org/10.1186/s13011-021-00394-7)

\ Read more about



Get Denmark's oldest news

...about history's wildest events in Videnskab.dk's newsletter about the past.

Register

\ TOP 6

Mest læste om Kultur & Samfund