

## **CRAFTING CIVIL SOCIETY STRATEGIES FOR THE DECRIMINALISATION OF DRUGS POSSESSION FOR PERSONAL USE IN SOUTH AFRICA: REFLECTIONS ON A CONSULTATIVE WORKSHOP**

Name: Initial and Surname (institution/ organisation)

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### **Background:**

The possession and use of drugs in South Africa is criminalised. Annually 200 000 drug-related arrests are made causing and compounding harms to People who use drugs (PWUD) and public health. Calls for law reform are increasing. The decriminalisation of cannabis by a Constitutional Court ruling and new cannabis legislation, the 2024 National Elections, and progress towards sex work decriminalisation provide entry points for drug law reform. However, the most strategic pathways towards drug decriminalisation remain vague.

### **Approach:**

In late 2024, twenty local advocates, legal experts, policymakers, and community representatives convened to develop an actionable roadmap for the decriminalisation of drugs in South Africa. It also sought to identify opportunities and challenges, and align collective efforts to enhance the rights and health outcomes of PWUD. Discussions were recorded, transcribed and a report developed. Directed thematic analysis of the key themes was done on the workshop report, and discussed among authors.

### **Analysis:**

Lessons from other law reform campaigns were the focus of discussions, and included the importance of forging a broad base Coalition, and focusing on narrative change to build public and political will. Two main options for law reform were distilled: a legal challenge brought to the Constitutional Court or a Parliamentary route. However, the scope and definition of decriminalization, and details of drug threshold amounts were points of contention. A wide range of strategies and activities were developed, but limited resources to implement these were identified as significant barriers.

### **Conclusion:**

The workshop underscored strategic opportunities for drug law reform in South Africa. Further work is needed on defining thresholds and their role in balancing regulation and personal rights, and what legal strategy would be most appropriate. The outcomes of the workshop laid the foundation for a cohesive and actionable advocacy roadmap, supported by measurable goals and timelines.

**Disclosure of Interest Statement:**

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